

STATE OF NORTH DAKOTA,

---

# **Journal of the Senate**

of the

# **Twenty-Ninth Session**

of the

# **Legislative Assembly**

---

**January 2nd to March 2nd, 1945**

**STATE CAPITOL  
BISMARCK, NORTH DAKOTA**

**C. P. DAHL**  
Lieutenant Governor

**E. H. BRANT**  
President Pro Tempore

**W. J. TROUT**  
Secretary



**BISMARCK TRIBUNE**  
57900

# SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
2.	Pt. Ward	Walter Troxel	Berthold
3.	Pt. Walsh	Harry O'Brien	Park River
4.	Pt. Walsh	Rilie R. Morgan	Grafton
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Carroll Day	Grand Forks
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
8.	Traill	C. Norman Brunsdale	Mayville
9.	Pt. Cass	W. H. Shure	Fargo
10.	Pt. Cass	Frank H. Beaton	Fargo
11.	Pt. Cass	John Conrad	Erie
12.	Pt. Richland	Wm. J. Braun	Wahpeton
13.	Sargent	Oscar Wahlund	Cogswell
14.	Ransom	J. L. Flatt	Sheldon
15.	Pt. Barnes	P. L. Foss	Valley City
16.	Griggs-Steele	Steven C. Nelson	Finley
17.	Nelson	R. R. Lofthus	McVille
18.	Cavalier	H. J. Work	Langdon
19.	Rolette	Ray Murry	Dunseith
20.	Benson	Orris G. Nordhougen	Leeds
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	J. J. Kehoe	Cando
23.	Stutsman	G. I. Feton	Jamestown
24.	LaMoure	M. R. Young	Berlin
25.	Dickey	Henry C. Frojen	Oakes
26.	Emmons	E. H. Brant	Linton
27.	Burleigh	Milton Rue	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Pt. Ward	Walter R. Bond	Minot
30.	Morton	P. W. Blank	Mandan
31.	Stark	M. J. Raschko	Dickinson
32.	Eddy-Foster	C. W. Schrock	New Rockford
33.	Wells	R. M. Streibel	Fessenden
34.	McHenry	Martin Olson	Butte
35.	Kidder-Sheridan	Edward Leno	Tuttle
36.	McIntosh-Logan	Robert Greiser	Wishek
37.	Pt. Richland	Joseph A. Reinke	Hankinson
38.	Pt. Barnes	Melvin Olson	Nome
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
40.	Burke-Divide	R. H. Lynch	Fortuna
41.	McKenzie	Hjalmer Nelson	Schafer
42.	Pierce	Knut Oksendahl	Rugby
43.	Renville	Reinhart Krenz	Sherwood
44.	Mountrail	Axel Olson	Parshall
45.	Williams	P. I. Dahlen	Williston
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	William Kamrath	Leith
48.	Mercer, Oliver and Dunn	Harry Semerad	Dickinson
49.	Adams-Hettinger	P. A. Peterson	Reeder

# HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Alex Dalzell	Walhalla
		John Halcrow	Bowesmont
		Earl D. Symington	Neche
2.	Pt. Ward	Emanuel Mortenson	Kenmare
		Palmer Levin	Park River
3.	Pt. Walsh	M. T. Lillehaugen	Brocket
		Wilfred Collette	Grafton
4.	Pt. Walsh	Wilfred Collette	Grafton
6.	Pt. Grand Forks	K. L. Boulden	Larimore
6.	Pt. Grand Forks	Geo. Saumur	Grand Forks
7.	Pt. Grand Forks	A. M. Allen	Thompson
8.	Traill	Edwin L. Bagge	Cummings
		H. W. McInnes	Kelso
		Harvey G. Wambheim	Hatton
9.	Pt. Cass	A. R. Bergesen	Fargo
		J. I. Brady	Fargo
		K. A. Fitch	Fargo
		Arthur C. Johnson	Fargo
		C. T. Yirchott	Fargo
10.	Pt. Cass	Manfred R. Ohnstad	West Fargo
		Kenneth K. Pyle	West Fargo
11.	Pt. Cass	Wesley L. Bolmeier	Erie
		G. R. Dittmer	Durbin
12.	Pt. Richland	Vernon M. Johnson	Wahpeton
		A. W. Luick	Fairmount
13.	Sargent	Mal Gainor	Milnor
		G. A. Klefstad	Forman
14.	Ransom	Mark Stanley	Lisbon
		H. G. Severson	Kathryn
15.	Pt. Barnes	Curtis Olson	Valley City
16.	Griggs-Steele	Thomas V. Devlin	Hope
		Bjorn Fuglestad	Cooperstown
		Harry L. Thompson	Cooperstown
17.	Nelson	Olof Hildre	Dahlen
		Ole Lysne	Pekin
18.	Cavalier	L. E. Callahan	Munich
		W. M. Crockett	Wales
		Peter Moe	Osnabrock
19.	Rolette	Henri Boucher	Rolette
		Simeon Grenier	Thorne
20.	Benson	C. H. Hofstrand	Leeds
		I. B. Rohrer	Churchs Ferry
21.	Ramsey	Louis Leet	Webster
		Frithjof Skaar	Hampden
		Harry Stormon	Devils Lake
22.	Towner	D. S. Blair	Maza
		E. J. Langley	Rock Lake
23.	Stutsman	C. F. Arndt	Streeter
		C. D. Drawz	Jamestown
		H. M. Ekren	Kensal
		P. G. Westby	Jamestown
24.	LaMoure	A. J. Sandness	LaMoure
		Zack Shockman	Berlin
25.	Dickey	Cornelius Bymers	Ellendale
		F. J. Graham	Ellendale
26.	Emmons	John J. Baumgartner	Strasburg
		Joseph Welk	Hague
27.	Burleigh	William B. Falconer	Bismarck
		John R. Fleck	Bismarck
		Walter E. Sellens	Bismarck

Dist.	County	Name	Address
28.	Bottineau	S. J. Acheson	Westhope
		Duncan Fraser	Omamee
		Arlan Stair	Newburg
29.	Pt. Ward	A. W. Benno	Minot
		Brynhild Haugland	Minot
		Dave Hovey	Minot
		W. M. Smart	Minot
30.	Morton	Andrew C. Mork	Mandan
		Matt M. Schmidt	Flasher
		Richard E. Wolf	New Salem
31.	Stark	A. H. Schmialenberger	Hebron
		Ray Schnell	Dickinson
		Leo Sticka	New England
32.	Eddy-Foster	A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield
33.	Wells	Morris Larson	Fessenden
		Calvin Schimke	Harvey
34.	McHenry	L. W. Belzer	Balfour
		Andrew Halvorson	Upham
		Theodore Monson	Bergen
35.	Kidder-Sheridan	George Engel	McClusky
		Gottlieb Frank	Kief
36.	McIntosh-Logan	Ed Haag	Fredonia
		Anton J. Schmidt	Napoleon
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Ray Thompson	Walcott
		Chas. Wollitz	Lidgerwood
38.	Pt. Barnes	Arthur A. Herk	Fingal
39.	Billings, Bowman, Golden Valley and Slope	M. B. Hogoboom	Alpha
		C. T. Olson	Bowman
		J. M. Still	Beach
40.	Burke-Divide	Harold Burau	Larson
		J. H. Heckman	Alkabo
		Frank Lindberg	Lostwood
41.	McKenzie	Bernt Anderson	Charlson
		Iver Drovdal	Arnegard
42.	Pierce	George Allen	Pleasant Lake
		Wm. H. Tuff	Barton
43.	Renville	Olaf Ostgulen	Donnybrook
44.	Mountrail	Albert Moerke	Van Hook
		J. N. Mollet	Powers Lake
45.	Williams	Asle Bjella	Epping
		Lloyd Esterby	Appam
		S. A. Forseth	Williston
46.	McLean	Donnell Haugen	Roseglen
		J. W. Jennings	Washburn
		Geo. J. Schlafmann	Turtle Lake
47.	Grant-Sioux	James J. Maher	Morristown, S. Dak.
		Fred Seibel	Elgin
48.	Mercer, Oliver and Dunn	Walter Bubel	Center
		Gottlieb Isaak	Dodge
		Edwin G. Sailer	Stanton
49.	Adams-Hettinger	Elmer Hegge	New England
		George Schwartz	Mott

# SENATE EMPLOYEES

Name	Address	Position
Targie Trydahl	Thompson	Temporary Secretary of the Senate
W. J. Trout	Sherwood	Secretary of the Senate
Eveleen Klautd	Bismarck	Desk Reporter
Ferd. Koch	Medina	Ass't Secretary
Marjorie Dahl	Jessie	Bill Clerk
Anne Entringer	Bismarck	Chief Stenographer
Elvera Sunstad	Cooperstown	Lt. Gov. Secretary
Helen Geesaman	Bismarck	Stenographer
Helen Edwards	Bismarck	Stenographer
Beverly Martz	Bismarck	Stenographer
Jane E. Young	Fargo	Stenographer
Pearl Olson	Bismarck	Enrolling & Engrossing Clerk
John W. Benson	Bismarck	Proofreader
B. J. Monaghan	Bismarck	Proofreader
Reuben Olson	Parshall	Postmaster
Oscar O. Odegaard	Grand Forks	Calendar Clerk
Emil Strand	Fryburg	Sergeant-at-Arms
J. H. McCay	Bismarck	Ass't Sergeant-at-Arms
Carl Dronen	Sharon	Mailing Clerk
Gilbert Lee	Watford City	Mailing Clerk
Almon Norton	Bismarck	Mailing Clerk
Gunder Wolseth	Wolseth	Mailing Clerk
Jacob Hegland	Oberon	Mailing Clerk
John S. Hove	Hoople	Bill Room Clerk
Mrs. Una Nierling	Jamestown	Bill Room Clerk and Telephone Messenger
Ruth D. Clary	LaMoure	Chart Room Clerk
Alice D. Wagner	Sanborn	Chart Room Clerk
Mrs. Frank Barnes	Bismarck	Chart Room Clerk
Louis Rudrud	Bismarck	Committee Clerk
C. T. Nelson	Brocket	Committee Clerk
Charles Urbanec	Dickinson	Committee Clerk
John J. Johnson	Minnewaukan	Messenger to the Governor
John Hegrans	Grafton	Messenger to the House
Ray Unzelman	Bismarck	Page
Jerry Stair	Bottineau	Page
James Monson	Bismarck	Page
Edwin Nothing	Pingree	Doorkeeper
Dominick Lefor	Lefor	Doorkeeper
George Hegland	New Rockford	Doorkeeper
Theo. Thompson	Lark	Doorkeeper
Henry Hendrickson	Granville	Doorkeeper
E. Willoughby	Grace City	Cloak Room Attendant
Albert Homelvig	Amidon	Committee Room Attendant
Chas. J. Ufer	Enderlin	Night Watchman
Eva Goetz	Bismarck	Committee Clerk
George Clemens	Bismarck	Page
Arlis Kilbourne	Bismarck	Enrolling and Engrossing Clerk
Martha Albrecht	Bismarck	Enrolling and Engrossing Clerk

## ERRATA SHEET

Page 68—Titles on Senate Bill No. 57 and Senate Bill No. 58 should be corrected by transferring titles on said two bills.

Page 224—Change the remarks of Senator Young, in explanation of his vote on House Bill No. 38, to read as follows:

“Mr. President: This Bill has no tax saving value to it. If this Bill passes I don't think anyone would argue but what the taxes of every home and farm in North Dakota would be increased.”

Page 345—After line 35, insert the following:

### “REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 195, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.”

Page 496—Under heading “Senate Memorial Resolution “D”, insert

“Presented by Senator Nelson of Griggs and Steele”.

Page 1027—Above line 8 (from bottom of page) insert the following:

Senate Chamber  
Twenty-ninth Legislative Assembly  
State of North Dakota  
BISMARCK

February 27, 1945.

Honorable Fred G. Aandahl  
Governor of North Dakota  
Bismarck, North Dakota.

Dear Governor:

You are hereby notified that the House of Representatives have passed House Resolution No. 3 directing impeachment proceedings against Oscar E. Erickson, Commissioner of Insurance.

Respectfully yours,  
W. J. TROUT,  
Secretary of the Senate.

Page 1028—Above line 6 (from bottom of page) insert the following:

### “REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Resolution No. 1

Was delivered to the Secretary of State, February 27th, 1945.

W. R. BOND, Chairman.”

Page 1176—Senate Concurrent Resolution No. 16 (State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.) should be inserted in place of Senate Bill No. 16 (A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.) in Message from House.



and addresses of those duly elected as members of the Senate of the Twenty-ninth Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
3.	Pt. Walsh	Harry O'Brien	Park River
5.	Pt. Grand Forks	Oliver Bilden	Northwood
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
9.	Pt. Cass	W. H. Shure	Fargo
11.	Pt. Cass	John Conrad	Erie
13.	Sargent	Oscar Wahlund	Cogswell
15.	Pt. Barnes	P. L. Foss	Valley City
17.	Nelson	R. R. Lofthus	McVille
18.	Cavalier	H. J. Work	Langdon
19.	Rolette	Ray Murry	Dunseith
21.	Ramsey	G. F. Drew	Devils Lake
23.	Stutsman	G. I. Feton	Jamestown
25.	Dickey	Henry C. Frojen	Oakes
27.	Burleigh	Milton Rue	Bismarck
29.	Pt. Ward	Walter R. Bond	Minot
31.	Stark	M. J. Raschko	Dickinson
33.	Wells	R. M. Streibel	Fessenden
35.	Kidder-Sheridan	Edward Leno	Tuttle
37.	Pt. Richland	Joseph A. Reinke	Hankinson
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
41.	McKenzie	Hjalmer Nelson	Schafer
43.	Renville	Reinhart Krenz	Sherwood
45.	Williams	P. I. Dahlen	Williston
47.	Grant-Sioux	William Kamrath	Leith
49.	Adams-Hettinger	P. A. Peterson	Reeder

I further certify that the following are hold-over Senators, having been elected at the General Election in 1942 and duly qualified by the Twenty-eighth Legislative Assembly.

Dist.	County	Name	Address
2.	Pt. Ward	Walter Troxel	Berthold
4.	Pt. Walsh	Rilie R. Morgan	Grafton
6.	Pt. Grand Forks	Carroll Day	Grand Forks
8.	Traill	C. Norman Brunsdale	Mayville
10.	Pt. Cass	Frank H. Beaton	Fargo
12.	Pt. Richland	Wm. J. Braun	Wahpeton
14.	Ransom	J. L. Flatt	Sheldon
16.	Griggs-Steele	Steven C. Nelson	Finley
20.	Benson	Orris G. Nordhougen	Leeds
22.	Towner	J. J. Kehoe	Cando
24.	LaMoure	M. R. Young	Berlin
26.	Emmons	E. H. Brant	Linton
28.	Bottineau	Wm. A. Thatcher	Bottineau
30.	Morton	P. W. Blank	Mandan
32.	Eddy-Foster	C. W. Schrock	New Rockford
34.	McHenry	Martin Olson	Butte
36.	McIntosh-Logan	Robert Greiser	Wishek
38.	Pt. Barnes	Melvin Olson	Nome
40.	Burke-Divide	R. H. Lynch	Fortuna
42.	Pierce	Knut Oksendahl	Rugby
44.	Mountrail	Axel Olson	Parshall
46.	McLean	E. C. Stucke	Garrison

Dist.	County	Name	Address
48.	Mercer, Oliver and Dunn	Harry Semerad	Dickinson

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota this 2nd day of January, A. D. 1945.

THOMAS HALL,  
Secretary of State.

(SEAL)

After the reading of the names of the hold-over Senators and Senators-elect, Chief Justice A. M. Christianson administered the oath of office to all Senators-elect and requested them to subscribe to the oath of office.

Prayer by the Chaplain, Rev. T. W. Tysdal, of Bismarck.

Senator Flatt moved the nomination of Targie Trydahl as Temporary Secretary of the Senate.

ROLL CALL

The question being on the election of Targie Trydahl as Temporary Secretary of the Senate, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Ströibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Greiser	Page	Young
Kamrath		

Absent and not voting:

Blank	Lynch	Nelson, McKenzie
Braun		

So Targie Trydahl was declared elected as Temporary Secretary of the Senate.

The Lieutenant Governor then administered the oath of office to the Temporary Secretary of the Senate-elect.

Senator Brunsdale moved that the Senate do recess for fifteen minutes, which motion prevailed and the Senate stood recessed.

The Senate reconvened at the expiration of the fifteen minute recess.

Senator Flatt moved the nomination of Eveleen Klaudt as desk reporter.

ROLL CALL

The question being on the election of Eveleen Klaudt as desk reporter, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

## JOURNAL OF THE SENATE

Those voting in the affirmative were:

Beaton	Foss	Peterson
Bilden	Frojen	Raschko
Bond	Kehoe	Reinke
Brant	Krenz	Rue
Braun	Lofthus	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Stucke
Dahlen	Nordhougen	Wahlund
Day	O'Brien	Wog
Drew	Oksendahl	Work
Feton	Olson, Barnes	Young
Flatt	Page	

Those voting in the negative were:

Greiser	Olson, McHenry	Streibel
Kamrath	Olson, Mountrail	Thatcher
Leno		

Absent and not voting:

Blank	Murry	Troxel
Lynch	Nelson, McKenzie	

So Eveleen Klautd was declared elected as desk reporter.

The President of the Senate then administered the oath of office to the desk reporter-elect.

Senator Wog moved the nomination of Emil Strand of Billings County for Sergeant-at-Arms of the Senate.

## ROLL CALL

The question being on the election of Emil Strand as Sergeant-at-Arms, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Blank	Nelson, McKenzie	Page
Lynch		

So Emil Strand was declared elected as Sergeant-at-Arms.

Senator Olson of Barnes moved that the President of the Senate appoint a committee of three to notify the Governor of the State of North Dakota that the Senate is organized and ready to receive any messages he desires to deliver to it, which motion prevailed.

The President appointed as such committee Senators Olson of Barnes, Frojen and Wahlund.

Senator Shure moved that the President of the Senate appoint a committee of three to notify the House of Representatives that the Senate is organized and ready for the transaction of business, which motion prevailed.

The President appointed as such committee Senators Shure, Work and Peterson.

Senator Thatcher moved that the President of the Senate appoint a temporary committee of three on the revision and correction of the Journal, which motion prevailed.

The President appointed as such committee Senators Thatcher, O'Brien and Olson of Mountrail.

Senator Raschko moved that the President of the Senate appoint a committee of three to make necessary arrangements for Senate committee rooms, which motion prevailed.

The President appointed as such committee Senators Raschko, Blank and Krenz.

Senator Day moved that the Committee on Committees, to consist of Senators Morgan, Bridston, Drew, Stucke, Greiser and Streibel in addition to the Lieutenant Governor as chairman, which motion prevailed.

Senator Nordhogen moved that the President of the Senate appoint a committee of three to act with a like committee from the House of Representatives for the purpose of arranging for a joint session of the two houses, which motion prevailed.

The President appointed as such committee Senators Nordhogen, Wog and O'Brien.

Senator Flatt moved that the President of the Senate appoint a committee of five to serve as a committee on employment, which motion prevailed.

The President appointed as such committee Senators Flatt, Braun, O'Brien, Nordhogen and Thatcher.

Senator Bond moved that the rules of the Twenty-eighth Legislative Assembly be adopted as the temporary rules of the Twenty-ninth Legislative Assembly, which motion prevailed.

Senator Beaton moved that a committee of three be appointed by the President of the Senate to confer with the Board of Administration relative to arrangements for necessary stationery and supplies for the use of the Twenty-ninth Session of the Senate, which motion prevailed.

The President appointed as such committee Senators Beaton, Troxel and Bilden.

Senator Conrad moved that the President of the Senate appoint a committee of three for the purpose of conferring with the Board of Administration and the Northwestern Bell Telephone Company relative to the matter of telephones, which motion prevailed.

The President appointed as such committee Senators Conrad, Murry and Foss.

Senator Stucke moved that the Senate now recess for a ten-minute period for the purpose of selection of seats, and that the new members remove all papers and personal effects

from the desks they now occupy and retire from the floor while the old members are selecting their seats, which motion prevailed.

The Senate reconvened at the expiration of the ten-minute recess.

Senator Bridston: "I appreciate much the members of my faction who have suggested me as President Pro Tem of this body. Almost more than that, however, I appreciate the very kind things that Senate Greiser said about me in his Leader. I was not, however, in a position to accept those kind thoughts that were thrown my way in a serious manner. It so happens that we have a member of our faction whose seniority entitles him to the position of President Pro Tem. Even if his seniority would not have entitled him to this position all of us would still recognize in him a man who is thoroughly qualified for the position. He has made a fine record in the State Senate. He is a good citizen of North Dakota. At one time he was a candidate for Governor of North Dakota. It does give me great pleasure to nominate Senator Brant as President Pro Tem."

Senator Bond: "It has been my good fortune and pleasure to serve for quite a number of sessions with, and I have always respected, this Senator; and I take great pleasure in seconding the nomination of Senator Brant as President Pro Tem."

Senator Streibel: "Further nominations are in order, are they not? I agree with my friend Mr. Bridston in everything he said about Senator Brant and I could say a great deal more. As far as seniority rights are concerned, we have an old fellow here who has served since 1931, much longer than did Senator Brant, and if they want to base their unity on the fact that for several years they had a member as President Pro Tem, it seems to me that it's about time that this faction receive some recognition. I place the name of Senator Stucke."

Senator Greiser: "Since Senator Bridston has released me from supporting him I feel free to go in any direction I like. So I should choose this time to consider seniority. Senator Stucke has been a member here for a long time and I have always understood that this office of President Pro Tem is an honorary one and is based on seniority, and for that reason I believe he should be given consideration. He should have had it a long time ago, and I shall support Senator Stucke for that particular office, and I hope that enough of the Senators will see it as I do to give him the majority."

Senator Stucke: "Being that my name was mentioned without consulting me I hope you fellows will not pay too much attention to those who have placed my name in nomination. We have learned by experience that, after all, seniority rights do not amount to much. It is not so important, let's not get excited. I am not interested in the office."

#### ROLL CALL

The question being on the election of the President Pro Tem, the roll was called.

Those voting for Senator Brant were:

Bond	Foss	Olson, Barnes
Braun	Frojen	Page

Bridston	Kehoe	Raschko
Brunsdale	Krenz	Rue
Conrad	Morgan	Shure
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Feton	Oksendahl	Young
Flatt		

Those voting for Senator Stucke were:

Beaton	Lofthus	Peterson
Bilden	Murry	Reinke
Drew	Nordhougen	Schrock
Greiser	O'Brien	Streibel
Kamrath	Olson, McHenry	Thatcher
Leno	Olson, Mountrail	Wahlund

Passed:

Brant	Stucke
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Absent and not voting:

Blank	Nelson, McKenzie	Troxel
Lynch	Semerad	

The President declared that no election was had because of lack of a constitutional majority.

Senator Brunsdale moved that a second roll call be taken.

Senator Streibel asked for a Call of the Senate, which request was granted.

The roll was called and the following Senators were absent: Blank, Nelson of McKenzie, Lynch and Semerad.

Senator Streibel moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Day moved a substitute motion to Senator Brunsdale's motion that the consideration of the selection of President Pro Tem be laid over for an indefinite period of time, which motion prevailed.

Senator Nelson of Griggs-Steele: "I suggest at this time that the President of the Senate address the Senate."

Lieutenant Governor Dahl: "Let me say, first, that to stand here today before this august assembly and before the people of North Dakota is inspiring and very gratifying to me. It shall be my desire as Lieutenant Governor and your presiding officer to serve you unbiased, and I extend the cooperation of my office to each and every one of you.

"This, the Twenty-ninth Legislative Session of North Dakota, is probably meeting under one of the most unusual and strenuous times, with our State and our Nation involved in the most terrible war possibly ever known to civilization. We have about fifty thousand of our young men in the armed services. This is equal in number to approximately ten per cent of the entire population of our State. It is a condition that is touching the heartstrings of practically every one of us. It is in times like these that men and women serving in a position of public trust and as guardians of our democracy that we may let our sentiment rule our better judgment. We shall owe much to these fighting men and you, as legislators, must be ever mindful of that obligation.

"There are many serious problems to come before this Session. Our schools, finances will need careful consideration and careful planning. The Good Roads Measure that was authorized by an Initiated Measure at the last election

must be placed in a workable position. Tomorrow you will hear an address from the outgoing Governor who will give an account of the accomplishments of the last six years; also a message of the incoming Governor who will make recommendations for the future, and I am confident that these two very able men will give us a picture of the economic status of our State and make recommendations that we may continue on a sound business basis.

"When times are flush it is natural to spend a little more freely, but remember the war is not over. Let us keep the financial position of our State in such shape that when the boys do come home we will be in a position to do good where most good can be done.

"In considering and acting upon legislation it is well to remember that the basic industry of our State is agriculture, and any legislation that is passed here must of necessity affect the farmers directly and indirectly, and in order to build a greater North Dakota in the future we must endeavor to make the farms of North Dakota more attractive by promoting modern conveniences and a stable economy.

"This is no time to quibble and spar for place or position. You are like soldiers drafted to serve in the front lines and by your actions deliver to our State a program uncharred by selfish motives, to cooperate and display teamwork to the end that the accomplishments of this Session may be desirable. To that end I pledge the fullest cooperation of my office regardless of past political affiliation.

"I thank you."

Senator Brunsdale moved that the Senate now recess subject to the call of the chair, which motion prevailed.

The Senate reconvened subject to the call of the chair.

Senator Thatcher moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Wednesday, January 3rd, which motion prevailed and the Senate stood recessed.

TARGIE TRYDAHL,  
Temporary Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 3, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Brunsdale asked for a call of the Senate, which request was granted.

The roll was called and the following Senators were absent: Beaton, Bilden, Blank, Day, Greiser, O'Brien, Olson of McHenry, Olson of Mountrail and Thatcher.

Senator Brunsdale moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Brunsdale moved the election of a President Pro Tem.

The question being on the election of Senator Brant or Senator Stucke as President Pro Tem, the roll was called and there were Brant, 27; nStucke, 21; absent and not voting, 1.

ROLL CALL

Those voting for Senator Brant were:

Bond	Foss	Olson, Barnes
Braun	Frojen	Raschko
Bridston	Kehoe	Rue
Brunsdale	Krenz	Shure
Conrad	Lofthus	Stucke
Dahlen	Morgan	Troxel
Day	Nelson, Griggs-	Wog
Drew	Steele	Work
Feton	Oksendahl	Young
Flatt		

Those voting for Senator Stucke were:

Beaton	Murry	Peterson
Bilden	Nelson, McKenzie	Reinke
Brant	Nordhousen	Schrock
Greiser	O'Brien	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Thatcher
Lynch	Page	Wahlund

Absent and not voting:

Blank

So Senator Brant was declared elected President Pro Tem.

Senator Flatt: At this time I move the nomination of the following employees:

Anne Entringer—Chief Stenographer  
 Helen Geesaman—Stenographer  
 Elvira Sunstad—Stenographer  
 Jerry Stair—Page  
 Ray Unzelman—Page

Reuben Olson—Postmaster  
 John W. Benson—Proofreader  
 E. Willoughby—Cloak Room Attendant  
 Edwin M. Nething—Doorkeeper  
 Marjorie Dahl—Bill Clerk

#### ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Blank                      Bridston

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

#### SECOND DAY

Bismarck, January 3, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. T. W. Tysdal of Bismarck.

Roll call: All Senators present except Senator Blank.

Senator Beaton moved that the absent Senator be excused, which motion prevailed.

#### REPORTS OF SELECT COMMITTEE

Mr. President: Your Committee on Committees begs leave to report as follows:

That the following named standing committee shall be composed of the following Senators, to-wit:

Public Printing: Beaton, Chairman, Morgan, O'Brien, Greiser, Bond, Troxel and Thatcher.

Respectfully submitted,

C. P. DAHL,  
 RILIE R. MORGAN  
 G. F. DREW  
 E. C. STUCKE  
 J. B. BRIDSTON  
 R. M. STREIBEL  
 ROBERT GREISER

Senator Morgan moved the adoption of the report, which motion prevailed.

Mr. President: Your Committee on Committees begs leave to report as follows:

That the following named standing committee shall be composed of the following named Senators, to-wit:

Rules: Thatcher, chairman, Page, Brunsdale, Brant and Olson of Mountrail.

Respectfully submitted ,

C. P. DAHL  
 RILIE R. MORGAN  
 G. F. DREW  
 E. C. STUCKE  
 J. B. BRIDSTON  
 R. M. STREIBEL  
 ROBERT GREISER

Senator Morgan moved the adoption of the report, which motion prevailed.

The Chair appointed Senator Brunsdale as a committee of one to escort the President Pro Tem to the rostrum.

The oath of office was administered by the President of the Senate to the President Pro Tem.

Senator Brant: "It gives me great pleasure and I highly appreciate the action which this body has taken in electing me to the position of President Pro Tem of the Senate. Perhaps I should say I am doubly appreciative because of the fact it took so much time.

"However, I feel as though we have a big job to do here and we have more or less discussion, sometimes some of these matters are very controversial. We get heated up. I hope during this Session we can do as we have always done before, and go home as friends. I think some of the nicest times I have had here is when we have gotten ready to adjourn after our hard winter's work and have had to say goodbye.

"I feel that I am going to need the cooperation of every member here in case I should be called upon to preside, and in my presiding I shall do the best I can in being impartial and treating every member alike.

"I thank you."

Senator Brunsdale moved that the Senate do now recess, subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the First Day and recommend that the same be corrected as follows:

Transpose the second paragraph of the first page beginning "at the hour of 12 o'clock etc." to the top of the page following date line. Follow with "Chief Justice A. M. Christianson etc.," roll call, and balance of page.

On page 2 strike out the paragraph following the list of new members.

Correct spelling of the word "State" on line 12 of page 3.

On the ninth line from the bottom of page 3 correct spelling of the word "recess."



and following the roll call insert the following language: "Greiser present".

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS  
DEPARTMENT OF STATE

Bismarck, December 14, 1944

Secretary of the Senate  
Twenty-ninth Legislative Assembly  
Bismarck, North Dakota

Dear Sir:

In compliance with Section 109 Compiled Laws of 1913 an advertisement calling for bids for enrolling and engrossing bills of the Twenty-ninth Legislative Assembly was inserted in the Bismarck Tribune, the official paper of Burleigh County, in the issues of November 6, 13 and 20, asking that bids for such enrolling and engrossing be submitted to the office of Secretary of State until two o'clock P. M. December 1, 1944. This is to advise that in response to such call no bids were received. Therefore, your designated Board, consisting of the undersigned, is unable to let a contract for this work as provided by law and it will be necessary that the employment committees of the House and Senate make arrangements for the engrossing and enrolling of bills passed by each House of the Twenty-ninth Legislative Assembly.

In making such arrangement your attention is called to the fact that a carbon copy of every enrolled law should be prepared and delivered promptly to the Secretary of State as soon as such enrolled law has been signed by the Senate and the House, this copy being necessary for the use of the printers in preparing the 1945 Session Laws.

Respectfully submitted,

JOHN MOSES,

Governor

BERTA E. BAKER,

State Auditor

THOMAS HALL,

Secretary of State

Senator Brunsdale moved that the Employment Committee of the Senate be designated to arrange with a like committee from the House for the enrolling and engrossing of the bills, which motion prevailed.

Senator Shure requested that the Senate be on the sixth order of business, which request was granted.

Senator Shure announced that the committee appointed to notify the House that the Senate was organized and ready to do business had completed its work and asked that the committee be discharged, which request was granted.

Senator Olson of Barnes announced that the committee appointed to notify the Governor that the Senate was organized and ready to do business had completed its work and asked that the committee be discharged, which request was granted.

A committee from the House was received and informed the Senate that the House was now organized and ready to do business.

A committee from the House was received and informed the Senate that they were prepared to meet with a like committee of the Senate to make arrangements for the Joint Session.

Senator Brunsdale moved that the Senate do now recess until 1 p. m., Thursday, January 4th, which motion prevailed.

TARGIE TRYDAHL,  
Temporary Secretary.

SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 4, 1945

The Senate convened at 1:00 p. m., pursuant to recess taken, the President presiding.

Senator Shure requested that the Senate be on the eighth order of business, which request was granted.

Senator Shure moved that the President of the Senate appoint a committee of five to confer with a like committee of the House for the purpose of conferring and considering the advisability of enacting a bill to put the Revised Codes of 1944 into effect immediately, which motion prevailed.

The President appointed as such Committee Senators Shure, Day, Page, Streibel and Kehoe.

Senator Flatt: At this time I move the nomination of the following employees:

Dominick Lefor.....	Doorkeeper
J. Slickmeyer.....	Committee Clerk
Charles Urbanec.....	Assistant Postmaster
George Hegland.....	Doorkeeper
Gilbert Lee.....	Committee Clerk
John S. Hove.....	Bill Room Clerk
J. H. McKay.....	Asst. Sergeant-at-Arms
Carl Dronen.....	Bill Room Clerk
Oscar O. Odegaard.....	Calendar Clerk
Mrs. Frank Barnes.....	Asst. Postmaster
Louis Rudrud.....	Committee Clerk
Henry Hendrickson.....	Doorkeeper
Mrs. Una Nierling.....	Bill Room Clerk
Helen Edwards.....	Proofreader
Theo. Thompson.....	Doorkeeper

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke

Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	

Absent and not voting:

Beaton	Blank	Lynch
Bilden	Greiser	Olson, McHenry

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Morgan requested that the Senate be on the eighth order of business, which request was granted.

Senator Morgan moved that a committee of three, consisting of Senators Reinke, Bond and Feton, be appointed as a Committee on Mileage and Per Diem, which motion prevailed.

The President appointed as such committee Senators Reinke, Bond and Feton.

Senator Page moved that the Senate do now adjourn, which motion prevailed.

### THIRD DAY

Bismarck, January 4, 1945

The Senate convened at 2:00 p. m., the President presiding. Prayer by the Chaplain, Rev. T. W. Tysdal of Bismarck.

Roll call: All Senators present except Blank, Day, Flatt, Kamrath, Kehoe, Murry, Page, Shure and Streibel.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the First Day After Recess and Second Day and recommend that the same be corrected as follows:

In the fourth line from the bottom of page 9 correct the spelling of the name Geesaman.

After the words "roll call" on page 9 on the vote for President Pro Tem of the Senate, insert the results of the vote. Also make the same correction after the words "roll call" on page 12.

Also a further correction in the Journal of the First Day. Sen. Work of Cavalier County is listed as a hold-over Senator when he should be in the newly-elected list and his address changed from Calvin to Langdon.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

A committee from the House was received and informed the Senate they were ready to meet in joint session.

Senator Brant moved that the Senate now recess to take part in the joint session of the House, and after said joint session the Senate reconvene at the call of the chair, which motion prevailed.

The Senate then went to the House Chamber for the joint session, as shown in the House Journal.

The Senate convened pursuant to the call of the chair, the President presiding.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that the Board of Administration be authorized to furnish the necessary supplies, equipment and janitor service for the Senate for this Session.

#### ROLL CALL

The question being on authorizing the Board of Administration to furnish the necessary supplies, equipment and janitor service for the Senate for this session, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Bond	Kehoe	Raschko
Brant	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lofthus	Schrock
Brunsdale	Lynch	Semerad
Conrad	Morgan	Shure
Day	Murry	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Work
Greiser	Page	Young

Absent and not voting:

Beaton	Nelson, Griggs-	Olson, Mountrail
Blank	Steele	Wog
Dahlen	Olson, McHenry	

So the Board of Administration was authorized to furnish the necessary supplies, equipment and janitor service for the Senate for this session.

Senator Day: "Mr. President, in explanation of my vote I want to say that in the interest of harmony and because I know this is something very near Senator Flatt's heart, I vote aye."

Senator Nordhougen announced that the committee appointed to meet with a like committee from the House in arranging for a joint session had completed its work and asked that the committee be discharged, which request was granted.

Senator Shure requested that the Senate be on the sixth order of business, which request was granted.

#### REPORT OF SELECT COMMITTEE

Senator Shure: Your committee with reference to placing the Revised Code in effect immediately have met with a like

committee of the House, and after due consideration we recommend that the matter be indefinitely postponed, and I move the adoption of the report.

Which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Friday, January 5, 1945, which motion prevailed.

TARGIE TRYDAHL,  
Acting Secretary

THIRD DAY AFTER RECESS  
AND FOURTH DAY

Bismarck, January 5, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Thatcher moved that the absent Senators be excused, which motion prevailed.

Senator Morgan requested that the Senate be on the eighth order of business, which request was granted.

Senator Morgan: I move that a committee of three, consisting of Senators Raschko, Peterson and Leno be appointed to act with a like committee of the House to arrange for Chaplains for the Twenty-ninth Legislative Assembly, which motion prevailed.

Senator Flatt: At this time I move the nomination of the following employees:

Ruth D. Clary.....Chart Room Clerk  
Alice D. Wagner.....Chart Room Clerk

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Beaton	Flatt	Page
Bilden	Kamrath	Peterson
Blank	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, McKenzie	Thatcher
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wog
Drew	Olson, Mountrail	Young

Absent and not voting:

Bond	Murry	Schrock
Feton	Nelson, Griggs-	Semerad
Foss	Steele	Stucke
Frojen	Nordhougen	Wahlund
Greiser	Olson, Barnes	Work
Kehoe	Olson, McHenry	

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Oksendahl moved that the Senate do now adjourn, which motion prevailed.

#### FOURTH DAY

Bismarck, January 5, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. T. W. Tysdal, of Bismarck.

Roll call: All Senators present except Senators Bond, Feton, Foss, Kehoe, Murry, Nelson of Griggs, Nordhougen, Olson of Barnes, Olson of McHenry, Schrock, Stucke, Wahlund and Work.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Second Day After Recess and Third Day and find the same correct.

WM. A. THATCHER, Chairman

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

Senators Day, Raschko and Work introduced:

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Was read the first time and referred to the Committee on Appropriations.

Senator O'Brien: I move that the chair appoint a committee of three to attend the funeral services of the late James Guthrie to represent the Senate, which motion prevailed.

The President appointed as such Committee Senators O'Brien, Rue and Thatcher.

Senator Rue moved that the Senate do now adjourn out of respect for former Senator Guthrie, which motion prevailed.

TARGIE TRYDAHL,  
Temporary Secretary

FIFTH DAY

Bismarck, January 6, 1945

The Senate convened at 2:00 p. m., the President Pro Tem presiding.

Prayer by the Chaplain, Rev. G. Adolph Johns, of Bismarck.

Roll call: All Senators present except Bilden, Blank, Bond, Bridston, Day, Feton, Foss, Kamrath, Kehoe, Krenz, Leno, Nelson of Griggs-Steele, Nordhougen, Olson of Barnes, Olson of McHenry, Raschko, Schrock, Semerad, Stucke, Wahlund, and Work.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Third Day After Recess and Fourth Day and find the same correct.

WM. A. THATCHER, Chairman

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Two communications from the State Historical Society, Bismarck, were read.

Senator Flatt moved that the Senate do now recess until 1:30 o'clock p. m., Monday, January 8, 1945, which motion prevailed.

TARGIE TRYDAHL,  
Temporary Secretary

FIFTH DAY AFTER RECESS  
AND SEVENTH DAY

Bismarck, January 8, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt: At this time I move the nomination of the following employees:

Almon Norton.....	Mailing Room Clerk
Gunder Walseth.....	Mailing Room Clerk
Albert Homelvig.....	Committee Room Arrangements
C. T. Nelson.....	Doorkeeper
Beverly Martz.....	Stenographer
James Monson.....	Page

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Peterson	Young

Absent and not voting:

Bilden	Kamrath	Olson, Barnes
Blank	Kehoe	Page
Dahlen	Lynch	Wahlund
Greiser	Nordhougen	

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Krenz requested that the Senate be on the eighth order of business, which request was granted.

Senator Krenz: I move that W. J. Trout be elected Secretary of the Senate.

ROLL CALL

The question being on the election of W. J. Trout as Secre-

tary of the Senate, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Feton	Olson, Barnes	Troxel
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Krenz	Peterson	

Absent and not voting:

Bilden	Greiser	Lynch
Blank	Kamrath	Nordhogen
Dahlen	Kehoe	Wahlund

So W. J. Trout was declared elected Secretary of the Senate, and the Lieutenant Governor administered the oath of office.

Senator Flatt: I move that J. Slickmeyer, who was duly elected to the position of committee clerk but who has asked to be released, be released. Which motion prevailed?

Senator Thatcher moved that the absent Senators be excused, which motion prevailed.

Senator Olson of Barnes moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary

### SEVENTH DAY

Bismarck, January 8, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. G. Adolph Johns of Bismarck.

Roll call: All Senators present except Bilden, Dahlen, Kamrath, Kehoe, Lynch, Nordhogen and Wahlund.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifth Day and recommend that the same be corrected as follows:

After the word President in the first line insert the word Pro Tem. Also correct the spelling of the word "convened" in the same line.

On page 15 of the 2nd day Mr. Oscar O. Odegaard's title is listed as calendar, when it should be calendar clerk.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Tuesday January 9, 1945, which motion prevailed.

W. J. TROUT, Secretary

SEVENTH DAY AFTER RECESS  
AND EIGHTH DAY

Bismarck, January 9, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Brunsdale: Our temporary Secretary of the Senate has asked to be released from that position so at this time I move that his request be granted.

Senator Morgan: I would like to amend that by extending our thanks to Mr. Trydahl for helping us out.

Which motion prevailed.

Senator Drew moved that the absent Senators be excused, which motion prevailed.

Senator Rue requested that the Senate be on the eighth order of business, which request was granted.

Senator Rue: I move that the chair appoint a committee of three to act with a like committee from the House to arrange for a joint memorial service for the late L. L. Twichell.

Which motion prevailed and the President appointed as such committee Senators Rue, Brunsdale and Shure.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary

EIGHTH DAY

Bismarck, January 9, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. N. E. Elsworth of Bismarck.

Roll call: All Senators present except Bilden, Dahlen, Lynch and Nordhogen.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifth Day After Recess and Seventh Day and recommend that the same be corrected as follows:

On the 16th line from bottom of page 29 change the word Fourth to Fifth and also make the same change of the day of the session of January 6th, on page 25.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

### PETITIONS AND COMMUNICATIONS

A petition to Senator Nelson of McKenzie County in regard to coyote bounty was read.

A petition from the County Commissioners' Association asking for an increase in the County tax levy was read, which was referred to the Committee on Counties.

### REPORT OF STANDING COMMITTEE

#### REPORT OF THE JOINT COMMITTEE ON PRINTING

Your Committee on Public Printing of the Senate, meeting with a like committee of the House to determine the form of the Journal and Daily Calendar, on the number of daily journals, calendars and bills to be printed and on other matters relating to legislative printing, reports as follows:

We recommend the printing of the 2500 copies of the Journal of each day's proceedings of each house and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective houses, not to exceed 10 copies of the Journal to be sent only to constituents who request same; that there also be placed on the mailing list all state institutions, public libraries, the State Historical Society, all state's attorneys, county auditors, two copies to the University Law School, and by request in writing to county and district judges, any newspaper published in the state, any secretary of a county taxpayers association, any auditor of an incorporated city, the president of the village board of an incorporated village, township clerk, high school, consolidated rural school, secretary of labor club, farmer's organization, commercial club or women's club within the state may be placed on the mailing list; that all bills and journals authorized by this joint resolution to be printed shall be delivered by the printer to the Secretary of the Publications and Printing Commission who shall receipt therefor to the printer; that there shall be printed 600 copies of the House and Senate Bills unless otherwise ordered by the house in which a bill is introduced; that 500 copies of the Daily Journal be punched; that 500 copies of the Daily Calendar be printed and punched; that all resolutions, except memorial resolutions, requiring action by either house, be printed and numbered or lettered in bill form and shall not be printed in the journal unless by order of the house in which they were introduced; that 8,000 letterheads and 6,000 number ten envelopes and 4,000 number six and one-half envelopes be printed for the Senate; that 15,000 letterheads and 15,000 number ten envelopes and 5,000 number six and one-half envelopes be printed for the House; that the form of the Journal and the Calendar be the same as was adopted for the 1943 session.

FRANK H. BEATON, Chairman  
Senate Printing Committee

P. G. WESTBY, Chairman  
House Printing Committee

Senator Beaton moved that the report be adopted.

#### ROLL CALL

The question being on the adoption of the report of the Printing Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Greiser	Page	Young
Kamrath		

Absent and not voting:

Bilden	Lynch	Nordhogen
Dahlen		

So the report was adopted.

#### REPORT OF SELECT COMMITTEE

Senator Raschko announced that the committee appointed to arrange for Chaplain services for the Senate had completed its work and asked that the committee be discharged, which request was granted.

Senator Conrad announced that the committee appointed to arrange for telephone service for the Senate had completed its work, asked that the report be adopted and that the committee be discharged.

Senator Page: I make a substitute motion that the report be adopted but the committee be retained for the duration of Twenty-ninth Legislative Session.

Which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Rue and Thatcher introduced:

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Paying Compensation to the Widows of Former Governors of the State of North Dakota; Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Streibel, Stucke, Greiser, Schrock, Nelson of McKenzie and Olson of Mountrail introduced:

Senate Bill No. 34. A Bill for an Act Enlarging the Powers of the Bank of North Dakota to Make Real Estate Loans to Individuals Who Shall Have Served in the Active Military or Naval Service of the United States at Any Time on or After September 16, 1940, Authorizing Issuance of North Dakota Real Estate Series Bonds Thereon, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Wednesday, January 10, 1945, which motion prevailed.

W. J. TROUT, Secretary

EIGHTH DAY AFTER RECESS  
AND NINTH DAY

Bismarck, January 10, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Feton requested that the Senate be on the eighth order of business, which request was granted.

Senator Feton moved that Ferd. Koch be elected Assistant Secretary of the Senate.

ROLL CALL

The question being on the election of Ferd. Koch as Assistant Secretary of the Senate, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Blank	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	O'Brien	Wahlund
Flatt	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Peterson	Young

Absent and not voting:

Bilden	Greiser	Olson, McHenry
Bond	Lynch	Page
Bridston	Nordhougen	Schrock
Foss	Oksendahl	

So Ferd. Koch was declared elected Assistant Secretary of the Senate.

The President of the Senate then administered the oath of office to the Assistant Secretary of the Senate-elect.

Senator Brunsdale moved that the absent Senators be excused, which motion prevailed.

Senator Olson of Barnes moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## NINTH DAY

Bismarck, January 10, 1945

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll call: All Senators present except Bilden, Lynch and Schrock.

Senator Rue requested that the Senate be on the eighth order of business, which request was granted.

Senator Rue moved that E. A. Hughes, a former Senator from Burleigh County, make a few remarks, and that a committee of one be named to escort Mr. Hughes to the rostrum, which motion prevailed.

The President appointed as such committee of one, Senator Rue.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Seventh Day After Recess and Eighth Day and recommend that the same be corrected as follows:

Change the number of the last page of the Journal of the 7th day from 29 to 28.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee, appointed for the purpose of arranging Senate Committee rooms, have arranged the following:

Senate Lounge—State Affairs, Tax and Tax Laws, Ways and Means and Apportionment.

Room 102—Engrossing and Enrolling, Revision and Correction of the Journal.

Room 201—Game and Fish, and Rules Committee.

Room 202—Public Lands, Public Printing, Mines and Minerals.

Room 203—Education, Public Welfare, Irrigation.

Room 204—Insurance, Immigration and Statistics, Warehouse and Grain Grading.

Room 205—Public Health, Public Safety, Temperance, Highways, Bridges and Ferries.

Room 206—Elections, Military and Indian Affairs, Judiciary.

Room 207—Banks and Banking, Agriculture, Corporations, Railroads.

First National Bank Building, 4th St.—Appropriations.

M. J. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS

Senators Day, Dahlen and Raschko introduced:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

Senators Brant, Day, Foss and Rue, introduced:

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Troxel introduced:

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Was read the first time and referred to the Committee on Appropriations.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt moved the nomination of the following employees:

John H. Johnson.....Messenger to the Governor  
Jane E. Young.....Stenographer

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Morgan	Rue
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		
Absent and not voting:		
Bilden	Lynch	Schrock
Bridston		

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Morgan moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TENTH DAY

Bismarck, January 11, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll call: All Senators present except Senators Bilden, Blank, Lynch, Schrock.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Eighth Day After Recess and Ninth Day and we find same to be correct.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORT OF STANDING COMMITTEES

Mr. President: Your Senate Committee on Rules recommends that the Senate Rules be amended and changed as follows:

After the word "present" in the third line of Section 10, strike out the semi-colon (;) and insert a period (.) and strike out the balance of the section.

Then insert new section "10A" with the title

"Voting Prohibited When"

to read as follows:

"No member shall vote on any question in which he is directly or personally interested, or in any case where he was not present when the question was put."

In Section No. 16, the Committee on Education shall be changed from eleven to thirteen members; and the Committee on Military and Indian Affairs shall be changed from nine to eleven members.

In Section No. 18 in line one after the word "in" strike out the word "this" and insert "substantially the following" in lieu thereof.

In Section No. 30, line six strike out the word "House" and insert the word "Senate" in lieu thereof.

In Section No. 31, line three strike out the word "stenographer" and insert the words "Desk reporter" in lieu thereof, and strike out the semi-colon (;) after the word "Journal" and insert a period (.) and strike out the balance of the section.

After section 31, insert new section "31A" with the title

"Recording Remarks in Journal" to read as follows:

"When a member desires to have his remarks, other than those in explanation of his vote, recorded in the Journal, he shall inform the Desk Reporter before speaking. After he has resumed his seat his remarks shall be recorded in the Journal if approved by the Senate.

After the word "vote" in line "7" of section "42" strike out the period (.) and insert a comma (,) and words "or by the Delayed Bills Committee" and strike out balance of section and insert a new section "42A" with the title.

"Return of Bills from Committee", to read as follows:

"Every bill, or resolution, referred to a committee, except appropriation bills must be returned to the Senate with the committee report thereon, not later than the seventh day after it is referred unless, upon application of the committee, an extension of time is granted within which to consider it. Provided that this rule does not apply until after the first ten days of the Session. In case the same is not reported on the seventh day after it is referred, and such time is not extended it shall automatically go on the calendar of bills without recommendation."

Change the title of section No. 45 to read as follows:

"Introduction of Delayed Bills"

Signed:

WM. A. THATCHER  
FRANKLIN PAGE  
C. NORMAN BRUNSDALE  
E. H. BRANT  
AXEL OLSON

Senator Thatcher moved that when the Rules are so amended that they be approved.

Senator Streibel requested a roll call, which was granted.

#### ROLL CALL

The question being on the adoption of the report of the Senate Committee on Rules, the roll was called and there were ayes, 31; nays, 14; absent and not voting, 4.

Those voting in the affirmative were:

Bond	Foss	Page
Brant	Frojen	Raschko
Braun	Kehoe	Rue
Bridston	Krenz	Shure
Brunsdale	Lofthus	Streibel
Conrad	Morgan	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wog
Drew	O'Brien	Work
Feton	Oksendahl	Young
Flatt	Olson, Barnes	

Those voting in the negative were:

Beaton	Nelson, McKenzie	Reinke
Greiser	Nordhogen	Semerad
Kamrath	Olson, McHenry	Stucke
Leno	Olson, Mountrail	Wahlund
Murry	Peterson	



District	NAME AND ADDRESS	N. P.	G. N.	Soo	Milw.	Car	Bus	TOTAL
41.	Hjalmar Nelson, Schafer .....						506	506.
42.	Knut Oksendahl, Rugby .....		122	380				502
43.	Reinhart Krenz, Sherwood ....		164	380				558
44.	Axel Olson, Parshall .....					14		300
45.	P. I. Dahlen, Williston .....					300		300
46.	E. C. Stucke, Garrison .....					480		480
47.	William Kamrath, Leith .....	206		154				154
48.	Harry Semerad, Dickinson .....	230				10		216
49.	P. A. Peterson, Reeder .....					36		266
						350		350

JOSEPH A. REINKE, Chairman  
WALTER R. BOND  
G. I. FETON

#### REPORT OF SELECT COMMITTEE

Senator Streibel moved that the Report of the Committee on Committees be printed in the Journal without reading, and laid over one legislative day.

Senator Streibel requested a roll call, which was granted.

#### ROLL CALL

The question being on the motion of Senator Streibel, the roll was called and there were ayes, 13; nays, 31; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Olson, McHenry	Semerad
Greiser	Olson, Mountrail	Stucke
Kamrath	Peterson	Thatcher
Murry	Reinke	Wahlund
Nelson, McKenzie		

Those voting in the negative were:

Bond	Foss	Oksendahl
Brant	Frojen	Olson, Barnes
Braun	Kehoe	Raschko
Bridston	Krenz	Rue
Brunsdale	Leno	Shure
Conrad	Lofthus	Streibel
Dahlen	Morgan	Troxel
Day	Nelson, Griggs-	Wog
Drew	Steele	Work
Feton	Nordhougen	Young
Flatt	O'Brien	

Absent and not voting:

Bilden	Lynch	Schrock
Blank	Page	

So the motion was declared lost.

Senator Streibel: "Mr. President, I vote 'nay' for the purpose of reconsideration."

Mr. President: Your Select Committee on Committees begs leave to report as follows:

That the following named Standing Committees shall be composed of the following named Senators, to-wit:

**AGRICULTURE AND LIVESTOCK**—15 members. Troxel, Chairman; Flatt; Nelson of McKenzie; Brunsdale; Olson of McHenry; Oksendahl; Beaton; Drew; Kamrath; Lofthus; Nordhousen; Frojen; Wahlund; Krenz; Peterson.

**APPROPRIATIONS**—17 members. Young, Chairman; Morgan; Stucke; Brunsdale; Streibel; Brant; Rue; Braun; Foss; Thatcher; Day; Blank; Bond; Frojen; Raschko; Conrad; Murry.

**APPORTIONMENT**—23 members. Kamrath, Chairman; Kehoe; Nelson of Griggs-Steele; Leno; O'Brien; Krenz; Olson of Mountrail; Frojen; Schrock; Conrad; Nordhousen; Work; Shure; Reinke; Day; Peterson; Bridston; Greiser; Olson of Barnes; Bilden; Brant; Troxel; Page.

**BANKS AND BANKING**—13 members. Raschko, Chairman; Page; Blank; Brunsdale; Thatcher; Bridston; Bond; Nelson of McKenzie; Krenz; Shure; Kamrath; Frojen; Murry.

**CORPORATIONS**—15 members. Foss, Chairman; Braun; Morgan; Schrock; Rue; Raschko; Greiser; Fetton; Shure; Kamrath; Dahlen; Work; Semerad; Frojen; Nordhousen.

**COUNTIES**—9 members. Fetton, Chairman; O'Brien; Lynch; Brant; Blank; Braun; Reinke; Wog; Wahlund.

**DELAYED BILLS**—5 members. Nelson of Griggs-Steele, Chairman; Brunsdale; Streibel; Page; Nelson of McKenzie.

**EDUCATION**—13 members. Morgan, Chairman; Drew; Nelson of McKenzie; Dahlen; Streibel; Fetton; Schrock; Raschko; Beaton; Nelson of Griggs-Steele; Leno; Krenz; Wahlund.

**ELECTIONS**—11 members. Day, Chairman; Fetton; Thatcher; O'Brien; Kehoe; Lynch; Olson of Barnes; Oksendahl; Conrad; Semerad; Reinke.

**ENROLLED AND ENGROSSED BILLS**—5 members. Bond, Chairman; Troxel; Beaton; O'Brien; Bilden.

**FEDERAL RELATIONS**—9 members. Oksendahl, Chairman; Olson of McHenry; Troxel; Day; Work; Lynch; Shure; Peterson; Leno.

**GAME AND FISH**—11 members. Lofthus, Chairman; Oksendahl; Blank; Dahlen; Schrock; Olson of Barnes; Frojen; Murry; Troxel; Flatt; Olson of McHenry.

**HIGHWAYS**—11 members. Wog, Chairman; O'Brien; Kamrath; Oksendahl; Thatcher; Braun; Beaton; Olson of Barnes; Streibel; Conrad; Bilden.

**IMMIGRATION AND STATISTICS**—9 members. Semerad, Chairman; Krenz; Thatcher; Lofthus; Oksendahl; Olson of Mountrail; Dahlen; Reinke; Work.

**INSURANCE**—13 members. Page, Chairman; Bridston; Thatcher; Lofthus; Brunsdale; Blank; Foss; Flatt; Nelson of Griggs-Steele; Nordhousen; Olson of Barnes; Peterson; Dahlen.

**IRRIGATION AND DRAINAGE**—13 members. Braun, Chairman; Brant; Reinke; Troxel; Nelson of McKenzie; Rue; Streibel; Raschko; Kamrath; Lofthus; Wahlund; Conrad; Nordhousen.

**JUDICIARY**—17 members. Kehoe, Chairman; Day; Stucke; Shure; Beaton; Page; Conrad; Lofthus; Thatcher; Olson of Barnes; Bilden; Oksendahl; Nelson of Griggs-Steele; Lynch; Work; Peterson; Braun.

**MILITARY AND INDIAN AFFAIRS**—11 members. O'Brien, Chairman; Flatt; Stucke; Rue; Beaton; Bridston; Olson of Mountrail; Nelson of Griggs-Steele; Wahlund; Dahlen; Peterson.

**MILEAGE AND PER DIEM**—3 Members. Reinke, Chairman; Bond; Feton.

**MINES AND MINERALS**—9 members. Olson of Mountrail, Chairman; Raschko; Olson of McHenry; Kehoe; Bond; Semerad; Wog; Leno; Dahlen.

**PUBLIC HEALTH**—9 members. Stucke, Chairman; Drew; Bilden; Foss; Lynch; Krenz; Schrock; Oksendahl; Work.

**PUBLIC LANDS**—7 members. Olson of McHenry, Chairman; Wog; Kamrath; Kehoe; Oksendahl; Foss; Semerad.

**PUBLIC PRINTING**—7 members. Beaton, Chairman; Greiser; Morgan; Troxel; Thatcher; O'Brien; Bond.

**PUBLIC SAFETY**—9 members. Work, Chairman; Troxel; Bilden; Brant; Wahlund; Foss; Reinke; Shure; Leno.

**PUBLIC WELFARE**—9 members. Drew, Chairman; Morgan; Stucke; Page; Kamrath; Olson of Barnes; Work; Peterson; Brant.

**RAILROADS**—13 members. Blank, Chairman; Feton; Streibel; Rue; Nelson of McKenzie; Wog; Olson of McHenry; Day; Greiser; Raschko; Semerad; Conrad; Krenz.

**REVISION AND CORRECTION OF JOURNAL**—3 members. Nordhougen, Chairman; Kehoe; O'Brien.

**RULES**—5 members. Thatcher, Chairman; Page; Brunsdale; Brant; Olson of Mountrail.

**STATE AFFAIRS**—17 members. Rue, Chairman; Bridston; Streibel; Young; Olson of Mountrail; Morgan; Wog; Brunsdale; Greiser; Flatt; O'Brien; Drew; Blank; Raschko; Lofthus; Feton; Nordhougen.

**TAX AND TAX LAWS**—17 members. Bridston, Chairman; Brant; Lynch; Wog; Brunsdale; Olson of Mountrail; Olson of Barnes; Day; Kamrath; Raschko; Schrock; Drew; Feton; Semerad; Shure; Page; Reinke.

**TEMPERANCE**—11 members. Olson of Barnes, Chairman; Flatt; Nordhougen; Troxel; Lynch; Frojen; Semerad; Nelson of Griggs-Steele; Murry; Bond; Wahlund.

**WAREHOUSE AND GRAIN GRADING**—11 members. Nelson of McKenzie, Chairman; Lofthus; Beaton; Feton; Kamrath; Drew; Olson of McHenry; Conrad; Nordhougen; Krenz; Reinke.

**WAYS AND MEANS**—17 members. Flatt, Chairman; Young; Stucke; Braun; Greiser; Morgan; Foss; Schrock; Bridston; Nelson of McKenzie; Page; Day; Kehoe; Dahlen; Oksendahl; Leno; Murry.

#### JOINT COMMITTEES

**PUBLIC BUILDINGS**—7 members. Krenz, chairman; Rue; Semerad; Shure; Wahlund; Dahlen; Nelson of McKenzie.

**EDUCATIONAL INSTITUTIONS**—7 members. Frojen, chairman; Lynch; Work; Reinke; Greiser; Leno; Shure.

**CHARITABLE INSTITUTIONS**—7 members. Dahlen, chairman; Murry; Frojen; Leno; Drew; Bilden; Peterson.

**INSURANCE**—5 members. Peterson, chairman; Thatcher; Lofthus; Olson of McHenry; Page.

**PENAL INSTITUTIONS**—5 members. Bilden, chairman; Feton; Krenz; Troxel; Reinke.

**JOINT RULES**—5 members. Thatcher, chairman; Stucke; Kehoe; Work; Page.

**STATE LIBRARY**—7 members. Conrad, chairman; Wahlund; Work; Leno; Schrock; Bond; Bilden.

**LABOR**—7 members. Nelson of Griggs-Steele, chairman; Braun; Nordhougen; Krenz; Rue; Bridston; Blank.

Members of Committee:

C. P. DAHL  
RILIE R. MORGAN  
J. B. BRIDSTON  
G. F. DREW

Senator Morgan moved that the Report of the Committee on Committees be adopted except as it applies to the Committee on Education and the Committee on Military and Indian Affairs.

Senator Streibel requested a roll call, which was granted.

#### ROLL CALL

The question being on the motion of Senator Morgan, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Flatt	Oksendahl
Bond	Foss	Olson, Barnes
Brant	Frojen	Raschko
Braun	Kehoe	Rue
Bridston	Krenz	Shure
Brunsdale	Lofthus	Streibel
Conrad	Morgan	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	O'Brien	Young
Feton		

Those voting in the negative were:

Greiser	Nordhougen	Reinke
Kamrath	Olson, McHenry	Semerad
Leno	Olson, Mountrail	Stucke
Murry	Page	Thatcher
Nelson, McKenzie	Peterson	Wahlund

Absent and not voting:

Bilden	Lynch	Schrock
Blank		

So the motion prevailed and the report was adopted.

Senator Streibel: "Mr. President, I vote 'aye' for the purpose of reconsideration."

Senator Greiser: "I ask for permission to have my name withdrawn from the Committees on Apportionment, Corporations, Public Printing, Railroads, State Affairs, and Ways and Means."

Senator Morgan: "I object to the withdrawal of Senator Greiser."

Senator Streibel: "I also object."

## FIRST READING OF SENATE BILLS

Senators Stucke and Rue introduced:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Was read the first time and referred to the Committee on State Affairs.

Senator Shure moved that the Senate extend an invitation to Imperial Potentate Arvold to address a Joint Session of the Legislature and that a committee of three be appointed to make the necessary arrangements, which motion prevailed.

The President appointed as such Committee Senators Shure, Stucke and Morgan.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Troxel moved that the record show that the absent Senators were excused on the Ninth Day, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## ELEVENTH DAY

Bismarck, January 12, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll call: All Senators present except Senators Bilden, Foss, Lynch, Morgan, Murry, O'Brien, Schrock, Semerad and Stucke.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Tenth Day and recommend that the same be corrected as follows:

In the report of the Committee on Mileage and Per Diem in District 18 Senator Work's address should be Langdon instead of Calvin. In District 35 strike out the word Sheridan and insert the word Tuttle to correct the address of Senator Leno.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Reinke moved that the report of the Committee on Mileage and Per Diem be adopted, as corrected.

## ROLL CALL

The question being on the adoption of the report of the Committee on Mileage and Per Diem, as corrected, the roll was called and there were ayes, 37; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Blank	Kamrath	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Shure
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Thatcher
Conrad	Nelson, McKenzie	Troxel
Dahlen	Nordhougen	Wahlund
Day	Oksendahl	Wog
Drew	Olson, Barnes	Work
Flatt	Olson, Mountrail	Young
Frojen	Page	

Those voting in the negative were:

Kehoe Olson, McHenry

Absent and not voting:

Bilden	Morgan	Schrock
Feton	Murry	Semerad
Foss	O'Brien	Stucke
Lynch		

So the report, as amended, was declared adopted.

Senator Streibel moved that the question of reconsidering the report of the Committee on Committees be delayed until Monday.

On a standing vote the motion was declared carried.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt moved the nomination of Pearl Olson as Enrolling and Engrossing Clerk.

#### ROLL CALL

The question being on the employment of Pearl Olson as Enrolling and Engrossing Clerk, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Conrad	Nelson, McKenzie	Thatcher
Dahlen	Nordhousen	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Bilden	Morgan	Schrock
Feton	Murry	Semerad
Foss	O'Brien	Stucke
Lynch		

So Pearl Olson was declared elected Enrolling and Engrossing Clerk and the Lieutenant Governor administered the oath of office to the Enrolling and Engrossing Clerk-elect.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that all reference and action taken by the Senate on the introduction of Senate Bills one (1) to thirty-one (31), inclusive, be expunged from the record, and

that the Bills be introduced by the Appropriations Committee, which motion prevailed.

#### FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 7. A Bill for an Act Making an Appro-

proportion for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 14. A Bill for an Act Making an Appro-

priation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes and Magpies.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the Paying of Salary, Clerkhire, Travel and

General Expenses of the Office of Veterans' Service Commissioner.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 30. A Bill for an Act Making an Appro-

priation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the first time and referred to the Committee on Appropriations.

Senators Page and Bridston introduced:

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

The Judiciary Committee introduced:

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Was read the first time and referred to the Committee on Judiciary.

Senator Flatt introduced:

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

Was read the first time and referred to the Committee on State Affairs.

Senator Brunsdale moved that the Senate stand at recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the President.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 40, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TWELFTH DAY

Bismarck, January 13, 1945

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll call: All Senators present except Senators Beaton, Bilden, Blank, Day, Feton, Foss, Frojen, Kehoe, Leno, Lynch, Morgan, Murry, Nordhougen, O'Brien, Raschko, Schrock, Semerad and Stucke.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Eleventh day and recommend that the same be corrected as follows:

In line 22 from top of page strike out the name "Leno" and insert in lieu thereof the name Reinke.

In the heading of pages 46, 48 and 50 change the word House to Senate.

And when so corrected recommend that the same be approved.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Two communications submitted to Senator Thatcher in regard to sale of deer hides and regulation of muskrat trapping season were read and referred to the Game and Fish Committee.

## FIRST READING OF SENATE BILLS

Senator Pagé introduced:

Senate Bill No. 42. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 12 of the Special Session Laws of 1944 Relative to Individual Nominations; and Repealing All Conflicting Laws.

Was read the first time and referred to the Committee on Elections.

Senator Shure moved that the rules be suspended and that Senate Bill 40 be properly engrossed and placed on its second reading and final passage, which motion prevailed.

The President stated that the Senate would be on the tenth order of business until 1:30 p. m., Monday, January 15, 1945.

W. J. TROUT, Secretary.

CONTINUATION OF TWELFTH DAY AND  
FOURTEENTH DAY

Bismarck, January 15, 1945

SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Morgan	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Conrad	Nelson, McKenzie	Shure
Day	Nordhougen	Streibel
Drew	Oksendahl	Stucke
Feton	Olson, Barnes	Troxel
Flatt	Olson, McHenry	Wahlund
Foss	Olson, Mountrail	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young

Absent and not voting:

Beaton	Frojen	Murry
Bilden	Greiser	O'Brien
Blank	Lofthus	Thatcher
Dahlen	Lynch	

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Shure moved that the vote by which Senate Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption

of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Raschko requested that the Senate be on the sixth order of business, which request was granted.

Senator Raschko moved that the Senate authorize the expenditure of \$200.00 for a committee room down town for the Appropriations Committee for the Twenty-ninth Legislative Session.

#### ROLL CALL

The question being on the expenditure of \$200.00 for Appropriation Committee room down town for the 29th Legislative Session, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Morgan	Reinke
Bridston	Murry	Rue
Brunsdale	Nelson, Griggs-	Schrock
Conrad	Steele	Semerad
Day	Nelson, McKenzie	Shure
Drew	Nordhougen	Streibel
Feton	Oksendahl	Stucke
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young

Those voting in the negative were:

Troxel

Absent and not voting:

Beaton	Frojen	Lynch
Bilden	Greiser	O'Brien
Blank	Lofthus	Thatcher
Dahlen		

So Senator Raschko's motion prevailed.

Senator Conrad moved that the absent Senators be excused which motion prevailed.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt moved the nomination of the following employees:

B. J. Monaghan.....	Proofreader
John Hegranes.....	Messenger to the House

#### ROLL CALL

The question being on the employment of the above named employees, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Bond	Leno	Raschko
Brant	Morgan	Reinke

Braun	Murry	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Semerad
Conrad	Nelson, McKenzie	Shure
Day	Nordhougen	Streibel
Drew	Oksendahl	Stucke
Feton	Olson, Barnes	Troxel
Flatt	Olson, McHenry	Wahlund
Foss	Olson, Mountrail	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young
Krenz		

Absent and not voting:

Beaton	Frojen	Lynch
Bilden	Greiser	O'Brien
Blank	Lofthus	Thatcher
Dahlen		

So such employees were declared elected, and the Lieutenant Governor administered the oath of office to such employees for their respective offices.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Kehoe requested that the Senate be on the seventh order of business, which request was granted.

#### FIRST READING OF SENATE RESOLUTIONS

The Committee on Judiciary introduced:

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Senator Day moved that the rules be suspended, and that Senate Concurrent Resolution No. 1 be considered properly engrossed and placed upon second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of Senate Concurrent Resolution No. 1, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel

Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	

Those voting in the negative were:

Greiser

Absent and not voting:

Beaton	Frojen	Lynch
Bilden	Lofthus	

So the Resolution passed and the title was agreed to.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FOURTEENTH DAY

Bismarck, January 15, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Claude Pearson, of Mandan.

Roll call: All Senators present except Senators Beaton, Bilden, Frojen, Lofthus, and Lynch.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 12th day and recommend that the same be corrected as follows:

On Page 53 of the printed Journal following the word "suspended" on the 5th line from the bottom of the page, the following language be inserted, "That Senate Bill 40 be considered properly engrossed and"

On Mileage and Diem Committee on Page 42—The name Streibel be struck out and Reinke be inserted.

And when so corrected recommend that the same be approved.

ORRIS G. NORDHAUGEN, Chairman.

Senator Nordhaugen moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Which the Senate has passed and your favorable consideration is requested.

WALTER J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senators Rue and Braun introduced:

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service, of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Was read the first time and referred to the Committee on Game and Fish.

Senators Rue, Braun and Work introduced:

Senate Bill No. 44. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Erecting a New Governor's Mansion, and Equipping the Same, at the City of Bismarck, N. D.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Wog introduced:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Was read the first time and referred to Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 15, 1944

Mr. President: I have the honor to transmit:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Streibel requested that the Senate be on the eighth order of business, which request was granted.

Senator Streibel moved the reconsideration of the action by which the report of the Committee on Committees was adopted, which motion was lost on a standing vote.

Senator Leno moved that the remarks of Senators Streibel, Olson, Stucke and Drew be printed in the Journal.

Senator Brunsdale made a substitute motion that if the remarks of the Senators who spoke today be recorded in the Journal the remarks of those who participated in the debate last Thursday be permitted to have their remarks printed in the Journal, which motion lost.

The question being on the original motion of Senator Leno, which motion, lost.

Senator Morgan requested that the Senate be on the eighth order of business, which request was granted.

Senator Morgan moved that the report of the Committee on Committees as it pertains to the Committee on Education and the Committee on Military and Indian Affairs be adopted, which motion prevailed and the report was adopted.

Senator Conrad moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FIFTEENTH DAY

Bismarck, January 16, 1945

The Senate convened at 2:00 p.m., the President presiding.  
 Prayer by the Chaplain, Rev. Claude Pearson of Mandan.  
 Roll call: All Senators present except Senators Bilden and Lynch.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Continuation of the 12th day and 14th day and recommend that the same be corrected as follows:

On the 23rd line from the bottom of page 57 in the Journal of the 12th day and following the word "be", insert the following: "considered properly engrossed and"

On the 13th line from the bottom of page 59 of the Journal for the 14th day strike out the word "prevailed" and insert in lieu thereof the word "lost".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF SENATE BILLS

Senator Dahlen introduced:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and Providing for the Option to Renew Such Leases, and to Declare an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senators Young, Stucke, Kehoe and Streibel introduced:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Was read the first time and referred to the Committee on State Affairs.

## FIRST READING OF SENATE RESOLUTIONS

Senators Blank, Braun, Thatcher and Young introduced:

Senate Concurrent Resolution No. 2. A Concurrent Reso-

lution Memorializing Congress and the President to Enact the Townsend Plan.

Was read the first time and referred to the Committee on State Affairs.

Senator Day moved that a recommendation be made to the Rules Committee to eliminate approval of the Senate to have a Senator's remarks printed in the Journal, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Conrad moved that the absent Senators be excused, which motion prevailed.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt moved the nomination of the following employees:

Jacob Hegland.....	Mail Room Clerk
Charles Ufer.....	Night Watchman

ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bilden	Page	Stucke
Lynch		

So said employees were declared elected to their respective

positions and the Lieutenant Governor administered the oath of office to such employees.

A Committee from the House was received and informed the Senate that they were prepared to meet in Joint Session.

Senator Brunsdale moved that the Senate adjourn and go into Joint Session with the House to hear a message from A. G. Arvold, Imperial Potentate of the Mystic Shrine.

W. J. TROUT, Secretary.

## SIXTEENTH DAY

Bismarck, January 17, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Claude Pearson of Mandan.

Roll call: All Senators present except Senators Bridston and Greiser.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifteenth Day and recommend that the same be corrected as follows:

In line 2 from the bottom of page 61 strike out the word "and" after Braun, insert a comma and after the word Thatcher insert "and Young".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A communication from the Glenburn Community Club to Senator Krenz requesting that certain State highways in the Glenburn territory be completed was read and referred to the Committee on Highways.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 33, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 34, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, January 17, 1945

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of

Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Which the House has amended as follows:

By adding the words to the title "Declaring an Emergency."  
And as so amended has passed.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, January 17, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Which the House has amended as follows:

In line 2 of the title strike out the word "governor" and insert in lieu thereof the word "govern".

And as so amended has passed.

KENNETH L. MORGAN, Chief Clerk.

Senator Shure requested that the Senate be on the eighth order of business, which request was granted.

Senator Shure moved that a committee of one be appointed to conduct former Senator Watt to the rostrum, which motion prevailed.

The President appointed Senator Conrad as such committee of one.

Senator Day requested that the Senate be on the tenth order of business, which request was granted.

Senator Day moved that the Senate concur in the House amendment to Senate Concurrent Resolution No. 1, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Concurrent Resolution No. 1 be considered properly re-engrossed, placed on second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the Resolution, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhogen	Thatcher

Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young
Kehoe	Olson, Mountrail	
Absent and not voting:		
Bilden	Flatt	Page
Bridston	Greiser	Wog

So the Resolution passed and the title was agreed to, and the emergency clause carried.

Senator Brunsdale moved that the vote by which Senate Concurrent Resolution No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following Resolution:

Senate Concurrent Resolution No. 1.

And find the same correctly engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

A committee from the House was received and informed the Senate they were prepared to meet in Joint Session at three o'clock.

Former Senator Watt addressed the Senate as follows:

"Mr. President and Members of the Senate: I don't like to make a speech but talking to you fellows is like talking to my neighbors, so I am just going to say a few words.

"At one time when in a conference committee in regard to the sales tax, one Senator said to me, 'What do you do when you are at home?' I didn't answer but another Senator answered for me. He said, 'I went to Senator Watt's home one time and we drove on into the yard. A young fellow came up to us and we asked him where we could find Senator Watt.' My boy called me from the hay mow and I had quite a nice visit with them.

"It's just sixty-one years this spring since we came to North Dakota—have been a resident on a farm in North Dakota for sixty years. Out of that sixty years it has been my privilege, and I consider it a rare privilege, to have been a member of the North Dakota Legislature for twenty-eight years, and I am a foreign-born citizen. This is a free country and we sometimes forget all the privileges we have in this country. We sometimes get into a jangle here in the Senate—as I have seen done—we split hairs, but, as you know, that is your privilege as an American citizen and when you get all through there remains good fellowship and good feeling. I do not think there has been a time that I ever left the Legislative Assembly without having a friendly feeling to everyone there. Lots of times I have been hurt, many times I have been sore as the dickens about something, but

one thing I have learned and that is no matter how hurt you are just put it down so deep inside yourself no one but yourself will ever know it. That way you will get along fine. It has been my privilege in traveling around the United States to meet men I have served with in the Legislature, and nothing gives me greater pleasure than to shake hands with them.

"You know, I have many times thought that the majority of the Senate was off their base and I wondered what was the matter. Maybe I was like a Scotsman when he said to his wife 'Margaret, I think that most people except you and I are kind of queer, and sometimes I think that even you are a little queer.' Perhaps I am getting like that.

"In the 1943 Legislature I voted alone on a measure and I couldn't understand why the rest of you Senators all voted 'aye'. I wasn't paying any attention when suddenly I discovered what was up. They were putting in the hands of the Manager of the Bank of North Dakota the privilege of buying and selling all State bonds. There has been enough stink about buying and selling State bonds, and why you all voted that way I don't know. I figured I was right then and I still believe I was right.

"Another thing along the same lines. They wanted to buy a piece of land between the Training School and the dairy farm some twenty-five years ago at twenty-five dollars an acre. I tried to defeat the measure, and I was the lone 'nay' vote. Since then I have pointed out that section of land to many people and I say there must be a gold mine there somewhere (it's only hills). They paid twenty-five dollars for land that even today isn't worth five dollars an acre.

"I have been alone lots of times but I never cared whether I was alone or not.

"I was rather amused at Brother Streibel the other day in not having enough men on some of the committees. I said to him, 'Senator, in the four years we were on the Appropriations Committee there was never a divided report from that committee—not once during four sessions—and to me the remarkable thing is that there were no questions asked on the floor of the Senate in regard to any of the bills put through.' I think Doc Stucke tried to upset one of the bills, but he failed. I myself upset one appropriation measure. I thought the committee was wrong. The Senate adopted all my amendments to the bill and it went through.

"I rather enjoy those kind of things. I lot of water has run under the dam since I first came to the Legislature. In a few minutes we are going to pay tribute to my old friend Late Twichell. No man, in my mind, has done more for the State of North Dakota than Late Twichell. We fought side by side for many years before many of you knew him.

"In 1921 we elected Late Speaker of the House. The evening after he was elected he came up to me in the lobby of the GP and said, 'I want you for Chairman of the Appropriations Committee.' I said, 'My goodness, Late, I don't know anything about appropriations. I don't want the job.' His answer—and I am going to quote his exact words—was, 'I figure that among all the fellows you are the only one who has the guts.' Those were Late's exact words to me. I think I enjoyed Late's confidence. We got along fine together. I realized that if Late and I ever got into a conflict there might

be some sparks flying so I was very careful never to get into an argument with Late for two reasons: First, because I knew I couldn't convince him. Furthermore, I knew he was so much smarter than I that he would undoubtedly get the best of me anyway. We always got along pretty good but I always tried to keep far enough away so as not to create any friction. I knew I enjoyed his confidence to a very large extent, and he certainly had my implicit confidence. I didn't know him before he came to the Legislature in 1913 but as years went by I came to know, love and respect Late Twichell above any man I have known in the Legislature. Head and shoulders above all men was Late Twichell.

"Late was insistent that I come back to the Legislature. I will use his exact words. He said, 'Art Fowler is gone, and I am going to drop out; if you drop out Cass County will be in a helluva fix.' I said, 'Late, I appreciate all that but I don't want you to class me with Art Fowler and yourself because I was never in your class and never pretended to be.' I have never pretended to be a legislator. All I have done is to sort of look after the spending of the money. Some of the people thought I was a pretty darned old tightwad, and many said so. They said, 'That darned fool Watt—you would think he was spending his own money'. Which puts me in mind of the time Bill Lemke dubbed me the representative of big business in the North Dakota Legislature. It's true. I represent the farmer, and if there is any bigger businessman in North Dakota than the farmer I would like to know it.

"I had my mind made up that I wasn't coming back and I think I used exceptionally good judgment in coming to that conclusion. I have served twenty-eight years. I don't know my colleagues' appraisal of the work I have done. In spending the State's money I have tried to see that we got one hundred cents on the dollar. I would sooner amend the other fellow's bills than introduce one of my own, so my experience here has been very pleasant. It has been nice to know all of you people and to know the people who have come and gone. Frankly, I was getting rather lonesome around here. My best friends at home and my best friends in the legislative district at home are all gone. In the legislature there aren't any of those left. I don't make friends as readily and easily as I did when I was younger. I think there is only one man in the Legislature who was here thirty-two years ago and that is Senator Bond.

"In 1929 I introduced a bill in the legislature giving the counties a one cent gas tax. I saw the storm clouds coming. They had an initiated law enacted some time before giving two cents. I introduced the bill and it passed the Senate, but they put on an amendment providing for a three percent collection deduction for the gas dealers. I never saw a more amended bill than that one. Late Twichell cut out the matter of giving the gas tax dealers a collection charge and, of course, we couldn't agree. It resolved into a fight between Senator Bonzer and Late Twichell. I really thought my bill was going by the board. The whole legislature was waiting on the passage of that bill. Late had the nicest audience you ever saw and they finally agreed on a one and a half percent charge, and that's what they have today.

"In 1943 we had before us a bill in regard to 4-H club members getting premiums for State Fairs. Fifteen or

twenty Fairs wanted a part of that appropriation. The committee decided to recommend the bill for indefinite postponement. One day I turned around to Rilie Morgan and said, 'I am not going to take the responsibility of killing this bill, because I don't think we should deny the 4-H boys and girls some premium money.' I got in touch with the man at the AC who had charge of this work and asked him how many County Achievement Days they had. He said 'Forty-nine out of fifty-two'. I said, 'We will give every County one hundred dollars for premiums on 4-H Club work.' I was rather proud of that bill. If there is anything worthwhile in this State today it is to help the young people.

"I am glad of the privilege of talking to you for a few minutes this afternoon. I am getting to be a rather old man and I hope and trust that the good Lord is going to spare me and maybe ten years from now I will have an opportunity to come back and talk to you again.

"One thing I am very well satisfied with is that when I decided not to come back to the Legislature I used good judgment. I figure that was one time in my life I did use good judgment. I am quitting with all the glory I can have. I have no political future in North Dakota but I do want to go to the National Convention as a delegate some time. If I am in good health four years from now I want to go down as a Republican delegate from North Dakota, and I am serving notice now that I am going to be a candidate.

"I wish you all success in your work. Above all, don't take yourselves too seriously. In 1921 the last night of the session was the most bitterly contested night of any session I ever put in. It was the most hectic night in my life. The gallery was crowded—practically all Burleigh County was there—and there were three or four fights. In fact, there was everything. We fought over the establishment of a light plant at the Penitentiary to furnish light for the Capitol, etc. The Governor signed it and it went to sleep for twelve years before it was heard of again. As I came out of the Capitol at six o'clock with the Speaker of the House and Representative Johnson of Cass (we had gone into the Capitol building at seven o'clock in the evening and we didn't come out until six o'clock in the morning, the moon was shining, it had snowed during the night, the ground was white, smoke was coming from the chimneys, and everything was a peaceful and as beautiful as you would ever want to see, and I said to myself, 'What fools we mortals be. While we have been tearing ourselves to pieces like a lot of fools here nature is smiling as she has smiled for a thousand years and probably will for another thousand years, and what we have done here will soon be forgotten'—and it was. There is a lesson I will never forget. Whenever I am inclined to take myself too seriously I think of that scene.

"Gentlemen, I thank you."

Senator Day moved that the remarks of Senator Watt be printed in the Journal, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Streibel, Olson of Mountrail, Page and O'Brien introduced:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota

for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on Judiciary introduced:

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senators Rue, Young and Stucke introduced:

Senate Bill No. 50. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Act by Amending and Re-enacting Subsection 10 of Section 52-0101, of the Revised Code of 1943, Relating to Definition of Employing Unit, and Repealing Paragraph g of Subsection 15 of Section 52-0101 of the Revised Code of 1943.

Was read the first time and referred to the Committee on State Affairs.

Senator Shure introduced:

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Was read the first time and referred to the Committee on State Affairs.

Senator Brunsdale moved that the Senate go into Joint Session for the memorial service in honor of the late L. L. Twichell, after which the Senate recess until 1:30 p. m., Thursday, January 18, 1945, which motion prevailed.

W. J. TROUT, Secretary.

SIXTEENTH DAY AFTER RECESS  
AND SEVENTEENTH DAY

Bismarck, January 18, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 1.

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

SEVENTEENTH DAY

Bismarck, January 18, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. N. E. Elsworth.

Roll call: All Senators present except Senators Bridston and Murry.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Sixteenth Day and recommend that the same be corrected as follows:

On page 72, in the 16th line from the top, strike one letter "e" in the spelling of the word "concurrent".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 4, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 9, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 10, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 20, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 21, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 41, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF SENATE BILLS

Senator Page introduced:

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Was read the first time and referred to the Committee on Insurance.

Senator Page introduced:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Was read the first time and referred to the Committee on Insurance.

Senators Rue, Nordhogen, Raschko, Schrock, Brunsdale and Flatt introduced:

Senate Bill No. 54. A Bill for an Act Relating to Aeronautics; Providing for the Development and Regulation

Thereof Within the State of North Dakota; Creating a State Aeronautics Commission and the Office of Director of Aeronautics; Prescribing the Duties and Powers of Such Commission and Director; Providing for the Regulation of Aircraft, Airmen and Air Instructors; Limiting Liability; Making an Appropriation for Said Aeronautics Commission; Prescribing Penalties; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt introduced:

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Commission of North Dakota as its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt introduced:

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

#### SECOND READING OF HOUSE BILLS

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water  
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Consumed by the Grafton State School, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting 2.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel

Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	

Those voting in the negative were:

Greiser

Absent and not voting:

Bridston                      Murry

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that the vote by which House Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which has been read.

Senator Young moved that House Bill No. 34 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January, 18, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senator Day moved that the Senate do now recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Brunsdale moved that the Senate do now recess until 1 p.m. Friday, January 19, 1945, which motion prevailed.

W. J. TROUT, Secretary.

SEVENTEENTH DAY AFTER RECESS AND  
EIGHTEENTH DAY

Bismarck, January 19, 1945

The Senate convened at 1:00 p.m. pursuant to recess taken, the President presiding.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the Senate do not concur in the House amendment to Senate Bill 40 and that a Conference Committee of three be appointed by the President to meet with a like Committee from the House, which motion prevailed.

The President appointed as such Conference Committee Senators Kehoe, Streibel and Day.

MESSAGE TO THE HOUSE

Senate Chamber.

Bismarck, January 19, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 40 and the President has appointed as a Conference Committee, Senators Kehoe, Streibel and Day to meet with a like committee from the House.

W. J. TROUT, Secretary.

Senator Beaton moved that five hundred additional copies of the House Journal for the Fifteenth Day after Recess and the Sixteenth Day be printed for general distribution.

ROLL CALL

The question being on the motion of Senator Beaton, the roll was called and there were ayes 42; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Thatcher
Feton	Nordhogen	Troxel

Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young
Kamrath	Olson, Mountrail	
Kehoe	Page	

Absent and not voting:

Bilden	Drew	Semerad
Bridston	Nelson, McKenzie	Stucke
Brunsdale		

So the motion was declared carried.

Senator Conrad moved that the absent Senators be excused, which motion prevailed.

Senator Shure moved that Senate Bill 41, which had been referred to the Committee on State Affairs, be re-referred to the Committee on Corporations, which motion prevailed.

Senator Day moved that the Senate do now recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, January 19, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate Reps. Graham, Johnson of Richland, and Ohnstad.

KENNETH L. MORGAN, Chief Clerk.

Senator Day moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### EIGHTEENTH DAY

Bismarck, January 19, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. N. E. Elsworth.

Roll call: All Senators present except Senators Bridston, Brunsdale, Nelson of McKenzie, Semerad and Stucke.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 16th day after recess and the 17th day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITONS AND COMMUNICATIONS

Petition presented by Senator Troxel, containing fifty signatures, requesting that the present sales tax be continued and that seventy-five percent of the sales tax be allocated to the support of the public schools, was referred to the Committee on Education.

Communication presented by Senator Olson of Mountrail from the Clerk of the Van Hook School District requesting that legislation be passed to alleviate the financial condition

of the school district, was referred to the Committee on Education.

Communication presented by Senator Dahlen from R. R. Robinson of Washburn protesting the enactment of Senate Bill 35, was referred to the Committee on Military and Indian Affairs.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senators Stucke, Drew and Foss introduced:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

Senators Stucke, Drew and Foss introduced:

Senate Bill No. 58. A Bill for an Act Defining Isonipechian and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

Senator Page introduced:

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the first time and referred to the Committee on Judiciary.

Senator Troxel introduced:

Senate Bill No. 60. A Bill for an Act to Permit Governing Bodies of School Districts to Exceed the Tax Levy Limitation Provided by Section 57-1514 of the Revised Code of 1943 More Than Ten Mills in Certain Cases.

Was read the first time and referred to the Committee on Education.

The Employment Committee introduced:

#### SENATE CONCURRENT RESOLUTION No. 3

- 1 A Concurrent Resolution Providing and Designating
- 2 Senate and House Employees and Naming and Fixing
- 2a Their
- 3 Salaries:
- 4 BE IT RESOLVED BY THE SENATE OF THE
- 4a TWENTY-
- 5 NINTH LEGISLATIVE ASSEMBLY OF THE SENATE
- 5a OF NORTH
- 6 DAKOTA AND THE HOUSE CONCURRING:
- 7 That for and during this twenty-ninth Legislative
- 8 Assembly the following named persons be employed and
- 9 appointed as officers and employees of the Senate and of
- 10 the House and shall be paid the compensation set
- 10a opposite
- 11 their respective names:
- 12 SENATE
- 13 Walter J. Trout, Secretary of the Senate .....\$8.00
- 14 Eveleen Klautd, Desk Reporter ..... 8.00
- 15 Ferd. Koch, Assistant Secretary ..... 6.50
- 16 Oscar O. Odegaard, Calendar Clerk ..... 5.00

17	Emil Strand, Sergeant-at-Arms .....	5.00
18	J. H. McCay, Ass't Sergeant-at-Arms .....	4.50
19	Anne Entringer, Chief Stenographer .....	6.50
20	Elvira Sunstad, Stenographer .....	5.00
21	Helen Geesaman, Stenographer .....	5.00
22	Helen Edwards, Stenographer .....	5.00
23	Beverly Martz, Stenographer .....	5.00
24	Jane E. Young, Stenographer .....	5.00
25	Marjorie Dahl, Bill Clerk .....	5.00
26	John S. Hove, Bill Room Clerk .....	4.50
27	Mrs. Una Nierling, Bill Room Clerk .....	4.50
28	Pearl Olson, Enrolling and Engrossing Clerk .....	5.00
29	Ruth D. Clary, Chart Room Clerk .....	4.50
30	Alice D. Wagner, Chart Room Clerk .....	4.50
31	Louis Rudrud, Committee Clerk .....	4.50
32	C. T. Nelson, Committee Clerk .....	4.50
33	John W. Benson, Proofreader .....	5.00
34	B. J. Monaghan, Ass't Proofreader .....	5.00
35	Carl Dronen, Mailing Clerk .....	4.50
36	Gilbert Lee, Mailing Clerk .....	4.50
37	Almon Norton, Mailing Clerk .....	4.50
38	Gunder Walseth, Mailing Clerk .....	4.50
39	Reuben Olson, Postmaster .....	5.00
40	Charles Urbanec, Ass't Postmaster .....	4.50
41	Mrs. Frank Barnes, Ass't Postmaster .....	4.50
42	Albert Homelvig, Committee Room Attendant .....	4.50
43	Edwin Nething, Doorkeeper .....	4.50
44	Dominick Lefor, Doorkeeper .....	4.50
45	George Hegland, Doorkeeper .....	4.50
46	Theo. Thompson, Doorkeeper .....	4.50
47	John J. Johnson, Messenger to Governor .....	4.50
48	Jerry Stair, Page .....	4.50
49	Ray Unzelman, Page .....	4.50
50	James Monson, Page .....	4.50
51	John Hegrane, Messenger to House .....	4.50
52	E. Willoughby, Cloak Room Attendant .....	4.50
53	Henry Hendrickson, Doorkeeper .....	4.50
54	Jacob Hegland, Mailing Clerk .....	4.50
55	Chas. J. Ufer, Night Watchman .....	4.50
56	Chaplain .....	3.50
57	HOUSE	
58	Kenneth L. Morgan, Chief Clerk .....	8.00
59	Mrs. Marie Tunell, Desk Reporter .....	8.00
60	Vic Gilbreath, Ass't. Chief Clerk .....	6.50
61	Margaret Schoenecker, Ass't. Desk Clerk .....	6.50
62	Fred Ingstad, Sergeant-at-Arms .....	5.00
63	John Feist, Jr., Ass't. Sergeant-at-Arms .....	4.50
64	Ethelyne Jorve, Chief Stenographer .....	6.50
65	Mrs. Ann T. Allen, Stenographer and Committee	
65a	Clerk .....	5.00
66	Gladys Unzelman, Stenographer .....	5.00
67	Mrs. Alice Kramer, Stenographer .....	5.00
68	Mrs. Irene Lere, Bill Clerk .....	5.00
69	Mrs. Eleanor Vendt, Enrolling and Engrossing	
69a	Clerk .....	5.00
70	Robert Johnson, Enrolling and Engrossing Clerk	5.00
71	Mrs. Myrtle Thorberg, Chief Enrolling and	
72	Engrossing Clerk .....	5.00
73	Florence Boutrous, Enrolling and Engrossing Clerk	5.00

74	Mrs. Gilma Yonker, Proofreader .....	5.00
75	Harold Smith, Proofreader .....	5.00
76	Lars Soiseth, Bill Room Clerk .....	4.50
77	A. N. Lindsay, Bill Room Clerk .....	4.50
78	E. K. Shaeffer, State Affairs Committee Clerk...	4.50
79	Mrs. Louise W. Finke, Appropriations Committee	
79a	Clerk .....	5.00
80	Mrs. Glen Oleson, Committee Clerk .....	4.50
81	Mrs. Doris Bronaugh, Committee Clerk .....	4.50
82	Mrs. Edna Sand, Stenographer and Committee	
82a	Clerk .....	5.00
83	Alda I. Moe, Committee Clerk .....	4.50
84	Miles Nelson, Chief Mailing Clerk .....	5.00
85	Fred Fisher, Mailing Clerk .....	4.50
86	Mrs. I. A. Smith, Mailing Clerk .....	4.50
87	Mrs. Agnes Sailer, Mailing Clerk .....	4.50
88	O. J. Lokken, Calendar Clerk .....	5.00
89	Mrs. Walter Buck, Telephone Attendant .....	4.50
90	Oswald Kruisk, Chief Doorkeeper .....	4.50
91	H. E. Bergland, Doorkeeper .....	4.50
92	Oscar Olson, Doorkeeper .....	4.50
93	Fred Borusky, Doorkeeper .....	4.50
94	Earl McInnes, Postmaster .....	5.00
95	H. R. Bonny, Messenger to the Governor .....	4.50
96	John Byrne, Messenger to the Senate .....	4.50
97	Levern Gayman, Page .....	4.50
98	Jack Koch, Page .....	4.50
99	Beverly Young, Page .....	4.50
100	O. Warren Asplund, Page .....	4.50
101	Chaplain .....	3.50

Senator Flatt moved that Senate Concurrent Resolution No. 3 be printed in the Journal in full, and further action be deferred one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work

Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bridston	Leno	Semerad
Brunsdale	Nelson, McKenzie	Streibel
Day	Page	Stucke
Kehoe		

So the bill passed and the title was agreed to.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bridston	Leno	Semerad
Brunsdale	Nelson, McKenzie	Streibel
Day	Page	Stucke
Kehoe		

So the bill passed and the title was agreed to.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Page
Blank	Lofthus	Peterson
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Thatcher

Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bridston	Leno	Semerad
Brunsdale	Nelson, McKenzie	Streibel
Day	Raschko	Stucke
Kehoe		

So the bill passed and the title was agreed to.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Krenz	Peterson
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Thatcher
Day	Steele	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Absent and not voting:

Bridston	Leno	Semerad
Brunsdale	Nelson, McKenzie	Streibel
Kehoe	Raschko	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Page
Blank	Lofthus	Peterson
Bond	Lynch	Raschko
Brant	Morgan	Reinke
Braun	Murry	Rue

Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Shure
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bridston	Leno	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Day	Semerad	Wahlund
Kehoe		

So the bill passed and the title was agreed to.

### SECOND READING OF HOUSE BILLS

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Page
Bond	Lofthus	Peterson
Brant	Lynch	Reinke
Braun	Morgan	Rue
Conrad	Murry	Schrock
Dahlen	Nelson, Griggs-	Shure
Drew	Steele	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Work
Foss	Oksendahl	Young
Frojen	Olson, Barnes	

Absent and not voting:

Bridston	Leno	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Day	Raschko	Wahlund
Greiser	Semerad	Wog

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that Senate Bill No. 56 be re-referred to the Committee on State Affairs, which motion prevailed.

Senator Day moved that the Senate do now recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair.

Senator Day requested that the Senate be on the sixth order of business, which request was granted.

### REPORT OF CONFERENCE COMMITTEE

The Conference Committee on Senate Bill No. 40 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 40, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the words "Revised Code of North Dakota for" and insert in lieu thereof "North Dakota Revised Code of". In line four of the title strike out the word "and" before the word "repealing".

Add to the title of the bill the following words: "and declaring an Emergency".

In Section 1 of the bill, in volume 1 thereof, on the fourth line from the top of page 53 strike out the figures "1-0223" and insert in lieu thereof "1-0233".

In Section 1 of the bill, in volume 1 thereof on page 110 in Section 4-0730 on line 1 thereof insert a "colon" after the words "Preferred Stock".

In Section 1 of the bill, in volume 1 thereof, on page 170 in Section 4-2101 on said page strike out the last sentence thereof and insert in lieu thereof the following: "No bounty shall be paid in any year in excess of the amount of real estate taxes levied for the year in which the bounty is claimed, upon the quarter section of land of which the parcel of land planted to trees is a part".

In Section 1 of the bill, in volume 1 thereof, on page 392 in the first line of Section 10-0338 on said page after the word "Delinquency" strike out the word "Or" and insert in lieu thereof the word "Of".

In Section 1 of the bill, in volume 1 thereof, on page 563 in the first line of Section 11-1132 on said page strike out the word "Commissions" and insert in lieu thereof the word "Commissioners".

In Section 1 of the bill, in volume 1 thereof, on page 769 in the first line of Section 12-4206 on said page after the word "Carrying" insert the word "On".

In Section 3 of the bill, in the second line thereof strike out the figures "1-0223" and insert in lieu thereof "1-0233".

For the Senate:

J. J. KEHOE

R. M. STREIBEL

CARROLL E. DAY

For the House:

F. J. GRAHAM

VERNON M. JOHNSON

MANFRED R. OHNSTAD

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day requested that the Senate be on the fifth order of business, which request was granted.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 40.

And find the same correctly Re-engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the rules be suspended, that Senate Bill 40, which has been properly re-engrossed, be placed upon second reading and final passage as amended pursuant to the Report of the Conference Committee, which motion prevailed.

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which had been read.

ROLL CALL

The roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Blank	Lofthus	Page
Bond	Lynch	Peterson
Brant	Morgan	Reinke
Braun	Murry	Rue
Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Shure
Day	Nordhougen	Streibel
Drew	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Bilden	Greiser	Semerad
Bridston	Leno	Stucke
Brunsdale	Nelson, McKenzie	Wahlund
Feton	Raschko	Wog
Foss		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which Senate Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Thatcher requested that the Senate be on the fifth order of business, which request was granted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Rules to whom was referred:

Rule 31A.

Have had the same under consideration and recommend that the same be amended as follows:

"Recording Remarks in Journal"

When a member desires to have his remarks, other than those in explanation of his vote, recorded in the Journal, he shall inform the Desk Reporter before speaking.

And when so amended recommend the same do pass.

WM. A. THATCHER, Chairman.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that the Senate be on the thirteenth order of business and that no matters other than Senate Bill No. 40 be considered until 1:30 p. m., Saturday, January 20, 1945, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Conference Committee amendment to Senate Bill No. 40.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 40.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 40.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 40 was delivered to the Governor for his approval at the hour of 6:15 o'clock p. m., January 19, 1945.

W. R. BOND, Chairman.

W. J. TROUT, Secretary.

CONTINUATION OF THE EIGHTEENTH DAY  
AND NINETEENTH DAY

Bismarck, January 20, 1945

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the rules be suspended, and that the Senate reconsider its action in passing Senate Concurrent Resolution No. 1 as amended by the House, which motion prevailed by a two-thirds majority.

Senator Day moved that further consideration of Senate Concurrent Resolution No. 1 be indefinitely postponed, which motion prevailed.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

NINETEENTH DAY

Bismarck, January 20, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. N. E. Elsworth.

Roll call: All Senators present except Senators Braun, Bridston, Brunsdale, Fetton, Foss, Leno, Nelson of Griggs and Steele, Nelson of McKenzie, Olson of Barnes, Raschko, Schrock, Semerad, Stucke, Wahlund, Wog and Work.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 17th day after recess and the 18th day and recommends that the same be corrected as follows:

On page 77, on the 1st line of the 4th paragraph, the 6th word, the letter "t" was left out of the word "Senate".

On page 77, under the title "Message to the House", the 3rd line, Senate Bill No. 40 should not be the beginning of a new paragraph, and the letter "e" should be added to the word "committee" in the 5th line of this paragraph.

On page 80, line 53, insert the letter "D" and omit the first letter "O" in the word "Doorkeeper".

On page 80, lines 26 and 27, add the word "Room" after the word "Bill".

On Page 87, on the Report of Standing Committee, strike out the entire 6th line.

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Which the Senatee has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, January 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senator Flatt moved the nomination of Eva Goetz as Committee Clerk for the Appropriations Committee.

### ROLL CALL

The question being on the nomination of Eva Goetz as Committee Clerk, the roll was called and there were ayes, 33; nays, 0; absent and not voting 16.

Those voting in the affirmative were:

Beaton	Greiser	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Lofthus	Reinke
Conrad	Lynch	Rue
Dahlen	Morgan	Shure

Day	Murry	Streibel
Drew	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Frojen	Oksendahl	Young
Absent and not voting:		
Braun	Nelson, Griggs-	Semerad
Bridston	Steele	Stucke
Brunsdale	Nelson, McKenzie	Wahlund
Feton	Olson, Barnes	Wog
Foss	Raschko	Work
Leno	Schrock	

So Eva Goetz was declared elected Committee Clerk.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 17.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the original bill strike out the figures "\$12,435.00" and insert in lieu thereof the figures "\$13,965.00". In line 10 strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$5,400.00". In line 11, strike out the figures "\$2,760.00" and insert in lieu thereof the figures "\$3,240.00". In line 17, strike out the figures "\$12,485.00" and insert in lieu the figures "\$13,965.00".

Strike out all of line 22 after the word "for", and the figures "1939" in line 23, and insert in lieu thereof the following language: Chapter 38-04 of North Dakota Revised Code of 1943.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred Senate Bill No. 37.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 7 up to and including the figures "1913" and insert in lieu thereof the following language: Sections 37-1101 to 37-1104, inclusive, of North Dakota Revised Code of 1943.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, January 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 11. A Bill for an Act Making an Appro-

proportion for Salaries and Expenses of the Scale Inspection Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS

Senator Page introduced:

Senate Bill No. 61. A Bill for an Act to Improve the Services Furnished by the State for the Benefit of the Agricultural Interests of the State and to Co-ordinate Those Services Under the Direction of the Commissioner of Agriculture and Labor. To Abolish the Livestock Sanitary Board, The Stallion Registration Board, and the Poultry Improvement Board and Transfer Their Functions, Powers, Duties, Property, Records and Funds to the Commissioner of Agriculture and Labor; and to Transfer the Licensing and Bonding of Livestock, Wool and Poultry Dealers, Livestock Sale Rings, Grain and Seed Warehouses and Grain Buyers to the Commissioner of Agriculture and Labor; and Repealing all Laws in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

Senator Page introduced:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Elections.

Senator Flatt moved that Senate Concurrent Resolution No. 3 be adopted as corrected by the report of the Committee on Correction and Revision and Journal.

#### SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Was read the second time.

#### ROLL CALL

The question being on the passage of the Resolution, as amended, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Beaton  
Bilden

Greiser  
Kamrath

Olson, McHenry  
Olson, Mountrail

Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Lofthus	Reinke
Conrad	Lynch	Rue
Dahlen	Morgan	Shure
Day	Murry	Streibel
Drew	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Frojen	Oksendahl	Young
Absent and not voting:		
Braun	Nelson, Griggs-	Semerad
Bridston	Steele	Stucke
Brunsdale	Nelson, McKenzie	Wahlund
Feton	Olson, Barnes	Wog
Foss	Raschko	Work
Leno	Schrock	

So the Resolution passed.

Senator Conrad moved that the absent Senators be excused, which motion prevailed.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, January 20, 1945

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following Senate Bill:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

And the same has been filed with the Secretary of State today.

FRED G. AANDAHL,  
Governor of North Dakota.

Senator Young moved that the Senate do now recess until 1:30 p.m. Monday, January 22, 1945, which motion prevailed.

W. J. TROUT, Secretary.

NINETEENTH DAY AFTER RECESS  
AND TWENTY-FIRST DAY

Bismarck, January 22, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

The Lieutenant Governor administered the oath of office to Eva Goetz, Committee Clerk-elect.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-FIRST DAY

Bismarck, January 22, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Major Walter Lee of Bismarck.

Roll call: All Senators present except Senators Bilden, Blank, Brunsdale, Murry, Nelson of McKenzie, Wahlund and Wog.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the 18th Day and 19th Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

North Dakota State Senate,  
State Capitol,  
Bismarck, N. Dak.

To thank you for your kindness and sympathy at a time when it was deeply appreciated.

MRS. JAMES GUTHRIE AND FAMILY.

Senator Stucke moved that the Resolutions of the North Dakota County Commissioners Association be printed in the Journal, which motion prevailed.

RESOLUTIONS

North Dakota County Commissioners Association  
Mandan, North Dakota  
January 9-11, 1945

- No. 1. Five-mill levy, county road and bridge.
- No. 2. Gas tax refund system.

- No. 3. Employment of engineers.
- No. 4. Federal standards, county roads.
- No. 5. Commissioners' compensation.
- No. 6. Transfer of auto license and gas tax funds.
- No. 7. Taxable valuation.
- No. 8. Amending of budget law.
- No. 9. County Veterans' Officer Act levy.

## RESOLUTIONS COMMITTEE

J. D. O'Keeffe.....	Bottineau
Boyd Renwick.....	Pembina
Nels O. Linjaas.....	Traill
Nicolai Eddie.....	Grand Forks
H. B. Paul.....	Richland
Lewis Odland.....	Golden Valley

## RESOLUTION

WHEREAS many of our counties find that funds derived from their portion of gasoline tax and motor vehicle license monies are entirely inadequate to meet the requirements of a reasonable road construction and maintenance program, now therefore be it

RESOLVED, by the North Dakota County Commissioners Association that the North Dakota Legislature be requested to amend the present laws to the end that county commissioners may include in their regular annual levy a special levy of five mills for road and bridge purposes within the county, and be it further

RESOLVED that the present Legislature be asked to enact a law authorizing county commissioners to make a five-mill levy for road and bridge purposes in unorganized townships within the limits of their respective counties.

## RESOLUTION

WHEREAS, the people of North Dakota have approved by a tremendous vote the North Dakota Good Roads Bill at the November seventh election, and

WHEREAS, under Senate Bill 2105 vast sums of money are apportioned to North Dakota for road building purposes, including, during the first year alone \$2,412,000 for farm-to-market roads, and

WHEREAS, since 1939 with the adoption of the tax exempt law on gasoline in North Dakota road revenues have sharply dropped and tax exempt sales have now reached more than 60 per cent of all sales made in the state, and

WHEREAS, it is very important that money be available to match Federal funds while Federal funds are available, now therefore be it

RESOLVED, that we, the County Commissioners of the State of North Dakota, in convention assembled, earnestly request the Legislature of the State of North Dakota to pass such laws as are necessary to remedy this existing condition.

## RESOLUTION

WHEREAS, the Federal Government is providing large sums of money for the purpose of road construction within the State of North Dakota on a matching basis, and

WHEREAS, it is important that such monies be judiciously expended to the end that the State of North Dakota may reap

the largest possible benefits therefrom, now therefore be it

RESOLVED that the North Dakota County Commissioners Association urge upon the present Legislature to provide funds and other needed legislation for the employment of capable engineers and supervisors, to safeguard the interests of North Dakota in the expenditure of the funds made available for highway purposes.

#### RESOLUTION

WHEREAS, the present standards established by the Federal Bureau of Public Roads are of a character which make it impossible for counties within the state to avail themselves of Federal funds set aside for the purpose of constructing farm-to-market and feeder roads, and

WHEREAS, many counties of the state have large sums of money invested in modern road-building equipment and are now building roads sufficient to meet their requirements insofar as their funds will permit and under limitation of the contract system of construction of Federal assisted farm-to-market roads this investment could not be utilized, now therefore be it

RESOLVED that the North Dakota Legislature be requested to pass a concurrent resolution requesting Federal authorities to establish more liberal and lower engineering standards to make it possible for counties to participate in the expenditure of Federal funds heretofore made available under provisions of Senate Bill 2105.

#### RESOLUTION

WHEREAS, the North Dakota County Commissioners Association is firmly convinced that the present rate of compensation to county commissioners is wholly inadequate and limitations placed upon their activities in behalf of their respective counties are often such that the commissioners are barred from rendering valuable services unless they elect to do so at their own expense, now therefore be it

RESOLVED that county commissioners be permitted to charge mileage for travel to and from the county seat in daily attendance of meetings. Be it further

RESOLVED that county commissioners be authorized to bill the county for actual expenses in attending meetings outside of the county which by resolution are declared to be to the best interests of their respective counties. Be it further

RESOLVED that the present Legislature be asked to enact adequate legislation.

#### RESOLUTION

WHEREAS, large sums of money have in times past been transferred from the auto license and gas tax funds and used for the payment of interest on Bank of North Dakota real estate bonds, and

WHEREAS, the Bank of North Dakota is now in a financial condition permitting the return of such funds, now therefore be it

RESOLVED that such funds be returned to the State Highway Department and the several counties on the basis of original equities in the same, and be it further

**RESOLVED** that the present Legislature be asked to authorize such transfers.

#### RESOLUTION

**WHEREAS**, the present law placing the taxable valuation at 50% of the assessed valuation of all property within the state of North Dakota is inadequate and unjust, now therefore be it

**RESOLVED** that the Association hereby recommend to the present Legislature that the taxable valuation be increased to 75% of the assessed valuation of all tangible property within the state of North Dakota.

#### RESOLUTION

**WHEREAS**, the members of the North Dakota County Commissioners Association deem it a part of wisdom to make plans and provisions covering the certain approach of a post-war condition, and

**WHEREAS**, under the present Budget Law it is impossible for counties to accumulate and set aside funds to cover activities during this post-war period, now therefore be it

**RESOLVED** that this matter be called to the attention of the Legislature and that such relief be granted as in its judgment may appear adequate.

#### RESOLUTION

**WHEREAS**, it is the firm belief of the members of this Association that the boards of county commissioners within the State of North Dakota are making an honest effort to comply and put into effect the letter and spirit expressed in Chapter 30 of the Special Session Laws of 1944, to the extent that prevailing conditions in their several counties permit, and

**WHEREAS**, the proper functioning of this law is limited in many counties by the lack of funds, now therefore be it

**RESOLVED**, that the North Dakota Legislature now in session at Bismarck be asked to provide legislation authorizing county commissioners to levy not to exceed one-half a mill on the taxable property within the county to defray the costs of the County Veterans' Service Officer Act.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

Senate Bill No. 17.

Senate Bill No. 37.

Senate Concurrent Resolution No. 3.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Concurrent Resolution No. 2, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the title after the word "same" insert the word "being".

On page 5, line 63, add a (.) period after the word "dollars"; line 64, strike out everything in said line up to and including the (.) period after 65-0512.

Page 6, line 84, strike out the word "shoulder" and insert in lieu thereof the word "elbow".

Page 10, line 175, after the word "of" add the word "each".

Page 11, strike out line 187 and insert in lieu thereof line 197 which reads as follows: "The bureau, if it determines that it is for the best".

Page 9, line 148, strike out the word "or" and insert in lieu thereof the word "of".

Page 11, line 194, strike out the period (.) after the word "sum".

Page 12, line 226, strike out the words, "three hundred" and insert in lieu thereof the words "two hundred and fifty".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the "period" after the word "state" and insert in lieu thereof a comma and add the following:

"And declaring an emergency."

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS  
AND RESOLUTIONS

Senators Flatt, Day and Streibel introduced:

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Was read the first time and referred to the Committee on Ways and Means.

Senators Stucke and Drew introduced:

Senate Bill No. 64. A Bill for an Act to Provide for the Licensing and Regulation of Practical Nurses, Providing for Training Practical Nurses, and Prescribing Penalties for Violation Thereof.

Was read the first time and referred to the Committee on Public Health.

Senators Bridston and Day introduced:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Judiciary.

The Employment Committee introduced:

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Senator Flatt moved that Senate Concurrent Resolution No. 4 be read at length, which motion prevailed.

Senator Flatt moved the adoption of Senate Concurrent Resolution No. 4, which motion prevailed and the Resolution was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Was read the second time.

Senator Young moved that Senate Bill No. 17 be amended as follows: Strike out all of line 6 to the word "for", and insert in lieu thereof the following language: "Chapter 38-03 of North Dakota Revised Code of 1943," which motion prevailed.

Senator Young moved that the rules be suspended, and that Senate Bill No. 17, as amended, be considered properly re-engrossed and placed upon second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhugen	Stucke
Feton	O'Brien	Thatcher

Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Bilden	Murry	Wahlund
Brunsdale	Nelson, McKenzie	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhousen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Bilden	Murry	Wahlund
Brunsdale	Nelson, McKenzie	Wog

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the first time and referred to the Committee on Appropriations.

Senator Frojen moved that the absent Senators be excused, which motion prevailed.

#### MESSAGES TO THE HOUSE

Bismarck, January 22, 1945  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, January 22, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-SECOND DAY

Bismarck, January 23, 1945

Prayer by the Chaplain, Major Walter Lee of Bismarck.

Roll call: All Senators present except Senators Brunsdale, Murry, Nordhougen and Wog.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Nineteenth Day and Twenty-first Day and finds the same correct.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Resolution No. 13 of the State Convention of the North Dakota County Commissioners' Association, held at Mandan, requesting that, for the duration of the war and six months thereafter, the present weight and length limits for truck loads be maintained in order to preserve our highways was read and referred to the Committee on Highways and Bridges.

MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 23, 1945

Mr. President: I have the honor to transmit herewith the following bills and resolution:

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota

Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Military and Indian Affairs to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 53, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## FIRST READING OF SENATE BILLS

The Committee on Military and Indian Affairs introduced: Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Health.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 33 of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, Appropriating \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled To Aid from Such Fund.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Section 37-1304 of the North Dakota Revised Code of 1943, Relating to the Duties of the Veterans' Service Commissioner, and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Military and Indian Affairs.

The Committee on Military and Indian Affairs introduced: Senate Bill No. 72. A Bill for an Act Accepting from the

United States the Lands and Improvements Comprising the Bismarck Indian School Plant; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Military and Indian Affairs introduced:

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of the Bismarck Indian School Plant; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Lofthus and Peterson introduced:

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Was read the first time and referred to the Committee on Insurance.

Senators Page and Olson of Mountrail introduced:

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

Senators Young, Morgan, Bridston, O'Brien and Kehoe introduced:

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 57-3902 of the North Dakota Revised Code of 1943, Relating to the Levying and Imposing of a Retail Sales Tax.

Was read the first time and referred to the Committee on Tax and Tax Laws.

#### FIRST READING OF HOUSE BILLS

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 10. A Bill for an Act Making an Appro-

priation for Operation and Maintenance of the Auto Transportation Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Was read the first time and referred to the Committee on Appropriations.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 23, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk

Senator Flatt moved that the Senate concur in the House amendments to Senate Concurrent Resolution No. 3 and that the Resolution be adopted, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Was read the second time.

## ROLL CALL

The question being on the final passage of the Resolution, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Bridston	Murry	Wog
Brunsdale	Nordhousen	

So the Resolution passed and the title was agreed to.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 38.

Senate Bill No. 51.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3

of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Those voting in the negative were:

Bond

Absent and not voting:

Bridston	Murry	Page
Brunsdale	Nordhougen	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Greiser	Oksendahl
Bond	Kamrath	Olson, Barnes

Brant	Kehoe	Olson, McHenry
Braun	Krenz	Olson, Mountrail
Conrad	Lene	Page
Dahlen	Lofthus	Peterson
Day	Lynch	Raschko
Drew	Morgan	Reinke
Feton	Nelson, Griggs-	Rue
Flatt	Steele	Shure
Foss	Nelson, McKenzie	Work
Frojen	O'Brien	Young
Those voting in the negative were:		
Bilden	Semerad	Thatcher
Blank	Streibel	Troxel
Schrock	Stucke	Wahlund
Absent and not voting:		
Bridston	Murry	Wog
Brunsdale	Nordhousen	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senator Braun moved that Senate Concurrent Resolution No. 2 be adopted, which motion prevailed.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 33.

House Bill No. 34.

And the President signed the same in the presence of the Senate.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TWENTY-THIRD DAY

Bismarck, January 24, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Major Walter Lee of Bismarck.

Roll call: All Senators present except Senators Brunsdale, Greiser, and Olson of Barnes.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-second day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 16.

Have had the same under consideration and recommend that the same be amended as follows:

In line 25 of the original bill strike out the figure "\$14,000.00" and insert in lieu thereof the figures "\$13,000.00". Also strike out the figure "\$1,000.00" in line 27 and insert in lieu thereof the figure "\$2,000.00".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 25.

Have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF SENATE BILLS

The Committee on Elections introduced:

Senate Bill No. 77. A Bill for an Act to amend and Re-enact Section 16-0415 of the Revised Code of 1943, Providing for the Consolidated Primary Election Ballot and Its Form, and the Voting of One Column Only.

Was read the first time and referred to the Committee on Elections.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

Senator Morgan moved that Senate Bill No. 76 be withdrawn temporarily, which motion prevailed.

Senator Morgan moved that the President appoint a committee of three to meet with the Board of Administration regarding the heating and air conditioning of the Senate Chamber, which motion prevailed.

The President appointed on such committee Senators Morgan, Streibel and Bridston.

Senator Rue moved that the action by which Senate Bill No. 38 was passed be reconsidered and the Bill re-referred to the Committee on State Affairs, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath		

Absent and not voting:

Brunsdale	Murry	Olson, Barnes
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Bilden	Krenz	Reinke
Blank	Leno	Rue
Bond	Lofthus	Schrock
Brant	Morgan	Semerad
Bridston	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath	Peterson	

Those voting in the negative were:

Braun	Lynch	Olson, McHenry
Drew	Murry	Wog

Absent and not voting:

Brunsdale	Greiser	Olson, Barnes
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So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 52 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Braun: "Mr. President, I don't believe I could vote intelligently on this Bill. I am not interested in any benevolent society, and unless I could see a financial breakdown as to what the assessments do for them I couldn't vote intelligently on it. Therefore, I vote 'no'."

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Was read the second time.

Senator Schrock moved that Senate Bill No. 53 be amended as follows: In line 10 after the word "State" insert a comma and add "except as specifically provided", which motion prevailed.

Senator Schrock moved that the rules be suspended, that Senate Bill No. 53, as amended, be considered properly re-engrossed and placed upon second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended on the floor, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bilden	Leno	Reinke
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan	Semerad
Bridston	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Mountrail	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young

Those voting in the negative were:

Braun	Drew	Olson, McHenry
Absent and not voting:		
Brunsdale	Greiser	Olson, Barnes
Flatt	Murry	

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 53 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Concurrent Resolution No. 3.

W. J. TROUT, Secretary.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 4.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 3.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-FOURTH DAY

Bismarck, January 25, 1945

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chaplain, Rev. George H. Mittag of Bismarck.

Roll call: All Senators present except Senator Brunsdale.  
The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-third day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Concurrent Resolution No. 3.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 16.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 38, have had the same under

consideration and recommend that the same be amended as follows:

On page 10, line 188 of the printed bill, which is line 187 of the original bill add the following:

"The increase in payments resulting from the enlargement of the salary base shall be payable to all pensioners and dependents but only from and after the taking effect of this Act."

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 49, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 65, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 25, 1945

Mr. President: I have the honor to transmit:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Concurrent Resolution "D."

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS

The Judiciary Committee introduced:

Senate Bill No. 78. A Bill for an Act to Amend and Re-

enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

The Judiciary Committee introduced:

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Reinke, Brant and Beaton introduced:

Senate Bill No. 80. A Bill for an Act Requiring Owner or Operator of Any Truck, Trailer or Other Vehicle Used in Transporting for Hire Any Livestock Within the State of North Dakota to Clean and Disinfect Such Truck, Trailer or Other Vehicle After Each Load Hauled, and Prescribing Penalties.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Reinke, Brant and Fetton introduced:

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Olson of McHenry, and Kehoe introduced:

Senate Bill No. 82. A Bill for an Act Making It Unlawful to Hunt or Pursue Game on Farm Lands Without the Written Consent of the Owner or Occupant, and Repealing Sections 20-0115, 20-0116, 20-0117, 20-0118, 20-0119, and 20-0120 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Game and Fish.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

Senator Young moved that Senate Bill No. 16 be further amended as follows: In line 27 strike out the figure "2,000.00" and add in lieu thereof the figure "1,000.00". Add a new line 27a, and the words, "Whitestone Battlefield Maintenance, 1,000.00", which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill 16 be considered properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	

Absent and not voting:

Brunsdale	Nelson, Griggs- Steele
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So the bill passed and the title was agreed to.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	

Absent and not voting:

Brunsdale	Nelson, Griggs- Steele
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So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Was read the first time and referred to the Committee on Corporations.

Concurrent Resolution "D."

Was read the first time and referred to the Committee on Highways.

Senator Stucke requested that the Senate be on the seventh order of business, which request was granted.

#### FIRST READING OF SENATE BILLS

Senators Braun, Stucke and Peterson introduced:

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1945 and Ending June 30, 1947, for Disbursement by the Public Welfare Board of North Dakota in Providing Public Assistance to the Needy Aged, Dependent Children, and to the Needy Blind, and Providing Child Welfare Services and Services to Crippled Children, and Assistance to Destitute and Necessitous Persons, and for Necessary Costs of Administration.

Was read the first time and referred to the Committee on Appropriations.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TWENTY-FIFTH DAY

Bismarck, January 26, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. George H. Mittag of Bismarck.

Roll call: All Senators present except Senators Beaton, Bond, Brunsdale, Dahlen, Page, Semerad and Troxel.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-fourth Day and recommend that the same be corrected as follows:

On page 119 change the figure "27½" to read "27a".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHAUGEN, Chairman.

Senator Nordhaugen moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 26, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

## PETITIONS AND COMMUNICATIONS

A petition signed by ninety-seven citizens of the Garrison community in McLean County protesting the passage of the Bill which provides for pensions to the widows of Governors was read, and referred to the Committee on Tax and Tax Laws.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 38.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 26, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, January 26, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F."

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senator Bridston introduced:

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Was read the first time and referred to the Committee on State Affairs.

Senator Morgan introduced:

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Was read the first time and referred to the Committee on Insurance.

Senators Work, Bridston, Blank and Braun introduced:

Senate Bill No. 86. A Bill for an Act to Deny to Defeated

Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated or for any Other Office and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Elections.

Senators Morgan, Schrock, O'Brien, Kehoe, Blank, Bridston, Raschko, Feton and Murry introduced:

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Stucke and Semerad introduced:

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Was read the first time and referred to the Committee on Mines and Minerals.

The Committee on Appropriations introduced:

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Streibel, Olson of Mountrail, Page and O'Brien introduced:

Senate Concurrent Resolution No. 5. A Concurrent Resolution Providing for the Amendment of Article 54 of the Constitution of the State of North Dakota.

Was read the first time and referred to Committee on Judiciary.

Senator Morgan moved that Senate Bill No. 76 be permanently withdrawn, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous

Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Krenz	Olson, Mountrail
Blank	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Conrad	Murry	Schrock
Day	Nelson, Griggs-	Shure
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Foss	Nordhougen	Thatcher
Frojen	O'Brien	Wahlund
Greiser	Oksendahl	Wog
Kamrath	Olson, Barnes	Work
Kehoe	Olson, McHenry	Young

Absent and not voting:

Beaton	Dahlen	Semerad
Bond	Flatt	Troxel
Brunsdale	Page	

So the bill passed and the title was agreed to.

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of

1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Leno	Peterson
Blank	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Foss	O'Brien	Wahlund
Frojen	Oksendahl	Wog
Kamrath	Olson, Barnes	Work
Kehoe	Olson, McHenry	Young
Krenz	Olson, Mountrail	

Those voting in the negative were:

Greiser

Absent and not voting:

Beaton	Dahlen	Semerad
Bond	Flatt	Troxel
Brunsdale	Page	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of Supreme and District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 25; absent and not voting, 8.

Those voting in the affirmative were:

Braun	Kehoe	Rue
Bridston	Nordhougen	Shure
Conrad	Oksendahl	Wog
Drew	Olson, Barnes	Work
Flatt	Peterson	Young
Frojen		

Those voting in the negative were:

Bilden	Lofthus	Olson, Mountrail
Blank	Lynch	Raschko
Brant	Morgan	Reinke
Day	Murry	Schrock
Foss	Nelson, Griggs-	Streibel
Greiser	Steele	Stucke

Kamrath	Nelson, McKenzie	Thatcher
Krenz	O'Brien	Wahlund
Leno	Olson, McHenry	

Absent and not voting:

Beaton	Dahlen	Semerad
Bond	Feton	Troxel
Brunsdale	Page	

So the bill was declared lost for lack of a constitutional majority.

Senator Day: "I change my vote from 'aye' to 'nay' for the purpose of reconsideration.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Was read the second time.

Senator Day moved that Senate Bill No. 65 be amended as follows:

"Section 2. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval", which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 65 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended on the floor, the roll was called and there were ayes, 27; nays, 14; absent and not voting, 8.

Those voting in the affirmative were:

Blank	Kamrath	O'Brien
Brant	Kehoe	Oksendahl
Braun	Krenz	Olson, Barnes
Bridston	Lofthus	Raschko
Conrad	Lynch	Rue
Day	Morgan	Shure
Drew	Murry	Wog
Flatt	Nelson, Griggs-	Work
Foss	Steele	Young
Frojen		

Those voting in the negative were:

Bilden	Olson, McHenry	Streibel
Greiser	Olson, Mountrail	Stucke
Leno	Peterson	Thatcher
Nelson, McKenzie	Reinke	Wahlund
Nordhogen	Schrock	

Absent and not voting:

Beaton	Dahlen	Semerad
Bond	Feton	Troxel
Brunsdale	Page	

So the bill passed and the title was agreed to but the emergency clause lost.

Senator Greiser: "Mr. President, the purpose of this bill is very clear to me and because I do understand it I vote 'no'."

Senator Foss moved that House Bill No. 37 be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "F."

Was read the first time and referred to the Committee on Public Lands.

#### SIGNING OF RESOLUTIONS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 3.

Senate Concurrent Resolution No. 4.

And the President signed the same in the presence of the Senate.

Senator Stucke moved that an omitted portion of County Commissioners' Association Resolution No. 2 be printed in the Journal, which motion prevailed.

When the County Commissioners' Resolutions of January 9, 10, and 11, 1945, were introduced in the Senate and House on January 22, 1945, an error was made in leaving out the last phrase.

"and we especially recommend for their consideration a return to the Gas Tax refund system in the State of North Dakota."

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Flatt moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TWENTY-SIXTH DAY

Bismarck, January 27, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain. Rev. George W. Mittag of Bismarck.

Roll call: All Senators present except Senators Beaton, Bond, Braun, Brunsdale, Dahlen, Feton, Foss, Lynch, Morgan, Murry, Nelson of Griggs-Steele, Olson of McHenry, Page, Schrock, Semerad, Stucke, Troxel and Work.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 25th day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

### PETITIONS AND COMMUNICATIONS

A communication received from Herman Meyer, Jr., of Baldwin, North Dakota, regarding the leasing of public lands was read and referred to the Committee on Public Lands.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 27, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill strike out the figures "\$208,275.00" and insert in lieu thereof "\$210,075.00". In line 12 strike out the figures "\$13,600.00" and insert in lieu

thereof the figures "\$17,400.00". In line 23 strike out the figures "\$208,275.00" and insert in lieu thereof the figures "\$210,075.00".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the original bill after the word "In" strike out the balance of the line also all of lines 7 and 8 and insert in lieu thereof the following:

Sections 18-0302 to 18-0309, inclusive of the North Dakota Revised Code of 1943

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the original bill after the word "officials" strike out the comma and add a period. Also strike out the remainder of line 5, all of lines 6 and 7.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the reading of the amendment to Senate Bill No. 33 be dispensed with and that it be printed in the Journal, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A Bill" and insert in lieu thereof the following:

For an Act Providing for Financial Assistance to Surviving widows of deceased Governors of the State of North Dakota, Prescribing the Qualifications Therefore, Making an Appropriation, and Declaring an Emergency.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

- 1 Section 1. Deceased Governors' Surviving Widows,
- 1a Assistance,
- 2 When,) every surviving widow of a deceased governor of
- 2a the State
- 3 of North Dakota, possessing the qualifications necessary
- 3a to make

4 her eligible for financial assistance out of monies under  
 4a the  
 5 control of the Welfare Board of the county of her  
 5a residence,  
 6 shall, upon her submitting satisfactory proof to the  
 6a Attorney  
 7 General of the State of North Dakota that she is the  
 7a surviving  
 8 widow of a deceased governor possessing the aforesaid  
 8a qualifi-  
 9 cations, be paid by the treasurer of the State of North  
 9a Dakota,  
 10 upon the order of the Attorney General, without voucher  
 10a being  
 11 submitted therefor, the sum of Fifteen Hundred Dollars  
 12 (\$1500.00) per year, payable monthly, out of the monies  
 13 mentioned in Section 2 hereof, as long as she remains  
 13a unmarried,  
 14 and in possession of such qualifications.  
 15 Section 2. Appropriation.) There is hereby appropriated  
 16 out of any monies in the State Treasury, not otherwise  
 16a approp-  
 17 riated, the sum of Fifteen Hundred Dollars (\$1500.00)  
 17a per year  
 18 for the purpose of making the assistance payments  
 18a authorized in  
 19 Section 2 hereof.  
 20 Section 3. Emergency.) This Act is hereby declared  
 20a to be  
 21 an emergency measure and shall be in full force and  
 21a effect from  
 22 and after its passage and approval.

And renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same be amended as follows:

In line 10 of the original bill after the word "of" strike out the balance of the line and add the following:

Sections 26-2401 to 26-2421, inclusive, of the North Dakota Revised Code of 1943, and re-number the remainder of the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 37, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Shure moved that House Bill No. 37 be re-referred to the Committee on Tax and Tax Laws for the purpose of further consideration, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Olson of Mountrail, Nordhougen, Nelson of McKenzie, and Raschko introduced.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Lands.

Senators Blank, Young, Thatcher and Krenz introduced:

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Was read the first time and referred to the Committee on Appropriations.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Bilden moved that the Senate recess until 1:30 p.m. Monday, January 29, 1945, in respect for Representative K. L. Boulden who passed away this morning, which motion, on a standing vote, carried unanimously.

W. J. TROUT, Secretary.

**TWENTY-SIXTH DAY AFTER RECESS  
AND TWENTY-EIGHTH DAY**

Bismarck, January 29, 1945

The Senate convened at 1:30 p.m. pursuant to recess taken, the President presiding.

**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, January 29, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Senator Shure requested that the Senate be on the eighth order of business, which request was granted.

Senator Shure moved that the rules be suspended and that House Bill 37 be placed on the calendar, which motion prevailed.

Senator Young moved that the vote by which the Committee Report on Senate Bill No. 24 was adopted be reconsidered, which motion prevailed.

Senator Young moved that the report on Senate Bill 24 be changed so that the figure "\$13,600.00", in line 12 of the original Bill, read "\$15,600.00", which motion prevailed.

Senator Young moved that the report of Senate Bill No. 24 be adopted as amended, which motion prevailed.

Senator Shure moved that Senate Bill 41 be Withdrawn from the Committee on Corporations, that the rules be suspended, and that the Bill be placed on the calendar, which motion prevailed.

Senator Day moved that the action by which Senate Bill No. 49 was defeated be reconsidered, which motion, on a standing vote, was declared lost.

Senator Day asked for a verification of the vote and a roll call, which was granted.

Senator Day requested a call of the Senate, which was ruled out of order by the Chair, because the absent Senators had been excused.

Senator Day moved that the call of the Senate be dis-

pensed with and that further consideration of this motion be postponed until the next day, which motion prevailed.

**ROLL CALL**

The question being on re-consideration, the roll was called and there were ayes, 26; nays, 16; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Flatt	Rue
Blank	Frojen	Schrock
Braun	Kehoe	Semerad
Bridston	Krenz	Shure
Conrad	Nordhougen	Thatcher
Dahlen	O'Brien	Wog
Day	Oksendahl	Work
Drew	Olson, Barnes	Young
Feton	Raschko	

Those voting in the negative were:

Brant	Morgan	Page
Greiser	Murry	Reinke
Kamrath	Nelson, McKenzie	Streibel
Leno	Olson, McHenry	Stucke
Lofthus	Olson, Mountrail	Wahlund
Lynch		

Absent and not voting:

Beaton	Foss	Peterson
Bond	Nelson, Griggs-	Troxel
Brunsdale	Steele	

So the bill will be reconsidered.

Senator Day moved that Senate Bill No. 49 be re-referred to the Judiciary Committee, which motion prevailed.

**FIRST READING OF SENATE BILLS**

Senators Day and Streibel introduced:

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on Elections introduced:

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the

Authenticated Edition of the Special Session Laws of 1944; and Declaring an Emergency.

Was read the first time and referred to the Committee on Elections.

The Committee on Education introduced:

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Lynch and Streibel introduced:

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Was read the first time and referred to the Committee on Judiciary.

Senators Rue and Bridston introduced:

Senate Bill No. 96. A Bill for an Act to Regulate Real Estate Brokers; Creating a State Board to Be Known as the State Real Estate Commission, Defining Its Powers and Duties; Providing for the Registration and Licensing of Real Estate Brokers and Salesmen; Fixing Fees Therefor; and Providing Penalties for the Violation of Its Provisions.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on Education introduced:

Senate Bill No. 97. A Bill for an Act Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget.

Was read the first time and referred to the Committee on Tax and Tax Laws.

The Committee on Education introduced:

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Was read the first time and referred to the Committee on Tax and Tax Laws.

The Committee on Education introduced:

Senate Bill No. 99. A Bill for an Act Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## TWENTY-EIGHTH DAY

Bismarck, January 29, 1945

The Senate convened at 2:00 p. m., the President presiding. Prayer by the Chaplain, Rev. R. A. Feehan of Bismarck.

Roll call: All Senators present except Senators Beaton, Bond, Brunsdale, Foss, Nelson of Griggs-Steele, Peterson and Troxel.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-sixth Day and recommends that the same be corrected as follows:

Page 132, line 9, correct the spelling of the word "Senate".

Also correct the spelling of the word "possessing" on second line from the bottom of page 132.

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

The family of Ben Gilbertson will hold in grateful remembrance your kind expression of sympathy.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 26.

Senate Bill No. 29.

Senate Bill No. 33.

Senate Bill No. 39.

And find the same correctly Engrossed.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 63, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF SENATE BILLS

Senators Shure, Bridston, Rue and Drew introduced:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Flatt moved that James Monson, an employee of the Senate, be excused so that he might join the armed services, which motion prevailed.

Senator Flatt requested that the Senate be on the fifth order of business, which request was granted.

Senator Flatt moved the nomination of George Clemens as a Page, and Arlis Kilbourne, as Enrolling and Engrossing Clerk.

## ROLL CALL

The question being on the nomination of the above named employees, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Murry	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	

Absent and not voting:

Beaton	Foss	Peterson
Bond	Nelson, Griggs-	Troxel
Brunsdale	Steele	Young

So said employees were declared elected to their respective positions and the Lieutenant Governor administered the oath of office to such employees.

Senator Young moved that Senate Bill No. 24 be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Krenz	Raschko

Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Murry	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhogen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Foss	Peterson
Bond	Nelson, Griggs-	Troxel
Brunsdale	Steele	

So the bill passed and the title was agreed to.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Morgan	Semerad
Dahlen	Murry	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhogen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Foss	Peterson
Bond	Nelson, Griggs-	Troxel
Brunsdale	Steele	

So the bill passed and the title was agreed to.

Senator Streibel moved that further consideration of Senate Bill No. 33 be indefinitely postponed, which motion, on a standing vote, was declared lost.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Paying Compensation to the Widows of Former Governors of the State of North Dakota; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 22; passing, 1; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Drew	O'Brien
Bond	Flatt	Olson, Barnes
Brant	Frojen	Rue
Bridston	Kehoe	Shure
Conrad	Krenz	Thatcher
Dahlen	Morgan	Wog
Day	Murry	Work

Those voting in the negative were:

Blank	Nelson, McKenzie	Reinke
Braun	Nordhogen	Schrock
Feton	Oksendahl	Semerad
Greiser	Olson, McHenry	Streibel
Kamrath	Olson, Mountrail	Stucke
Leno	Page	Wahlund
Lofthus	Raschko	Young
Lynch		

Passed:

Troxel

Absent and not voting:

Beaton	Foss	Peterson
Brunsdale	Nelson, Griggs- Steele	

So the bill was declared lost for failure of a constitutional majority.

Senator Braun: "I change my vote from 'aye' to 'nay' for purposes of reconsideration."

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Chapter 159 of the Session Laws of 1943, and Declaring an Emergency.

Was read the second time.

Senator Brant moved that the title of Senate Bill No. 39 be amended as follows: In line 5 after the word "of" strike out the balance of the line, and in line 6 strike out the words "159 of the Session Laws of 1943", and insert in lieu thereof "Sections 26-2401 to 26-2421, inclusive, of the North Dakota Revised Code of 1943", which motion prevailed.

Senator Brant moved that the rules be suspended, that Senate Bill No. 39 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Murry	Streibel

Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Beaton	Foss	Peterson
Brunsdale	Nelson, Griggs- Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Page moved that the vote by which Senate Bill No. 39 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 44. A Bill for an Act Providing for the Levying of a Tax to Create a Fund for the Purpose of Erecting a New Governor's Mansion, and Equipping the Same, at the City of Bismarck, N. D.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 25; absent and not voting, 6.

Those voting in the affirmative were:

Brant	Flatt	Page
Braun	Frojen	Reinke
Bridston	Kenoe	Rue
Conrad	Krenz	Shure
Dahlen	Oksendahl	Wog
Day	Olson, Barnes	Work

Those voting in the negative were:

Blank	Morgan	Schrock
Bond	Murry	Semerad
Drew	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Greiser	O'Brien	Thatcher
Kamrath	Olson, McHenry	Troxel
Leno	Olson, Mountrail	Wahlund
Lofthus	Raschko	Young
Lynch		

Absent and not voting:

Beaton	Foss	Peterson
Bilden	Nelson, Griggs- Steele	
Brunsdale		

So the bill lost .

Senator Raschko: "Mr. President, I am wholeheartedly in favor of the plan but I certainly am not in favor of raising that amount of money. Therefore, I have to vote 'no'."

Senator Young: "I vote 'nay' for purposes of reconsideration."

Senator Young moved that Senate Bill No. 24 be laid over one legislative day, which motion prevailed.

Senate Bill No. 41. A Bill for an Act Relating to the

Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

Was read the second time.

Senator Kehoe moved that Senate Bill No. 41 be amended as follows: In line 6 of the printed Bill, after the word "for" add the words "assistance in". In lines 7 and 8 of the printed Bill strike out the words "owned and maintained by such village or city" and insert in lieu thereof "used by the citizens of such city or village", which motion, on a standing vote, prevailed.

Senator Schrock moved that Senate Bill No. 41 be amended as follows: In line 1 strike out the word "and", add a comma, and the words "and organized townships".

Senator Day made a substitute motion that the Bill be amended by striking out the words "city" or "cities" wherever it appears, both in the body and the title of the Bill, and insert in lieu thereof the words "organized townships", which motion lost.

Senator Bridston moved that Senate Bill No. 41 be re-referred to the Committee on Corporations, which motion prevailed.

Senator Day moved that Senate Bill No. 41 be re-referred to the Committee on Ways and Means instead of the Committee on Corporations, which motion prevailed.

Senator Brant moved that House Bill No. 37 be laid over until Friday, February second, which motion prevailed.

Senator Bridston requested that the Senate be on the eighth order of business, which request was granted.

Senator Bridston moved that Senate Bills Nos. 97, 98 and 99 be re-referred to the Committee on Education, which motion prevailed.

Senator Morgan moved that the Committee appointed to meet with the Board of Administration regarding ventilation of the Senate Chamber be discharged, and that a new committee be appointed, which motion lost.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 29, 1945

Mr. President: I have the honor to return:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

With the request that it be engrossed.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 29, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof,

the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-NINTH DAY

Bismarck, January 30, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Thomas J. Dolan of Bismarck.

Roll call: All Senators present except Senators Brunsdale, Foss, Nelson of Griggs and Steele, Peterson and Thatcher.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Concurrent Resolution No. 3.

Senate Concurrent Resolution No. 4.

Were delivered to the Governor for his approval at the hour of 10:00 a.m. January 30, 1945.

FRANK H. BEATON, Acting Chairman.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-sixth day after recess and the twenty-eighth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A communication to Senator Beaton from A. H. Meyer of Fargo favoring a raise in the tax base only if the sales tax is discontinued was read, and referred to the Committee on Education.

A communication to Senator Page from Oscar B. Thompson of Rolette favoring repeal of the consolidated ballot was read, and referred to the Committee on Elections.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 24.

Senate Bill No. 39.

And find the same correctly engrossed.

FRANK H. BEATON, Acting Chairman.

Senator Beaton moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 14, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 12 and insert in lieu thereof:

Deficiency, 1942 Printing \$250.42

In line 16 strike out the figures \$15,000.00 and insert in lieu thereof \$21,000.00.

In line 3 strike out the figures \$139,100.00 and insert in lieu thereof \$137,950.42.

In line 20 of the original bill, strike out the figures \$39,100.00 and insert in lieu thereof the figures \$37,950.42.

In line 25 of the original bill, strike out the figures \$139,100.00 and insert in lieu thereof the figures \$137,950.42.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 36, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 47, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

In line 13 of the printed bill after the word compensation insert the following language:

"Or pension from the veterans service administration."

After line 19 insert Section 2. Emergency. This Act is hereby declared to be an emergency act and shall be in full force and effect from its passage and approval.

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred Senate Bill No. 68, have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title after the word chapter strike out 33 and insert "30 of the authenticated edition".

In the third line of the title after the word assembly insert (House Bill No. 24).

In line one after the word chapter strike out 33 and insert "30 of the authenticated edition".

In line three after the word assembly insert (House Bill No. 24).

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same be amended as follows:

In lines 49 and 50 of the original bill, strike out the words "any funds in the State Treasury not otherwise appropriated" and insert in lieu thereof "the Veterans' Post War Rehabilitation Reserve Fund".

In line 52 of the original bill after the word "and" insert the words "from said fund".

In line 5 of the title of the original bill, strike out the word "appropriating" and insert the word "and", and in line 6 of the title after the word "expenses" insert the words "from the Veterans' Post War Rehabilitation Reserve Fund".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 72, have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill after the word "plant" strike out the semi-colon (;) and in lieu thereof insert a comma (,) and add the following:

"To be known as Fraine Barracks".

In line five (5) of the original bill strike out the period (.) after the word "congress", and insert in lieu thereof a comma (,) and add the following:

"Which shall hereafter be known as, "Fraine Barracks," in honor of the late Brig. Gen. John A. Fraine".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

Senators Kehoe and Streibel introduced:

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Olson of McHenry introduced:

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Was read the first time and referred to the Committee on Judiciary.

Senators Kehoe, Stucke, Streibel and Drew introduced:

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Corporations.

Senator Nordhougen moved that the action by which Senate Bill No. 44 was defeated be reconsidered, which motion prevailed.

Senator Nordhougen moved that Senate Bill No. 44 be referred to the Committee on State Affairs, which motion prevailed.

Senator Braun moved that the action by which Senate Bill No. 33 was defeated be reconsidered.

A roll call was demanded and granted.

#### ROLL CALL

The question being on Senator Braun's motion, the roll was called and there were ayes, 22; nays, 22; absent and not voting 5.

Those voting in the affirmative were:

Bilden	Drew	O'Brien
Bond	Feton	Olson, Barnes
Brant	Flatt	Rue
Braun	Frojen	Shure
Bridston	Kehoe	Wog
Conrad	Krenz	Work
Dahlen	Morgan	Young
Day		

Those voting in the negative were:

Beaton	Nelson, McKenzie	Reinke
Blank	Nordhougen	Schrock
Greiser	Oksendahl	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke
Lofthus	Page	Troxel
Lynch	Raschko	Wahlund
Murry		

Absent and not voting:

Brunsdale	Nelson, Griggs	Peterson
Foss	Steele	Thatcher

The President voted 'aye', so the motion was declared carried.

Senator Braun moved that Senate Bill No. 33 be laid over two legislative days, which motion prevailed.

Senator Bridston requested that the Senate be on the eighth order of business, which request was granted.

Senator Bridston moved that Senate Bill No. 94 be referred to the Committee on Education, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 30, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

WALTER J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, January 30, 1945

Mr. President: I have the honor to transmit:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six

Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath	Page	

Those voting in the negative were:

Beaton Drew

Absent and not voting:

Brunsdale	Nelson, Griggs-	Peterson
Foss	Steele	Thatcher
Murry		

So the bill passed and the title was agreed to.

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Those voting in the negative were:

Dahlen

Absent and not voting:

Brunsdale	Murry	Peterson
Foss	Nelson, Griggs- Steele	Thatcher

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 75 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Bilden	Murry	Peterson
Brunsdale	Nelson, Griggs- Steele	Thatcher

So the bill passed and the title was agreed to.

**FIRST READING OF HOUSE BILLS  
AND RESOLUTIONS**

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Was read the first time and referred to the Committee on Agriculture.

Senator Morgan moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Morgan moved that the Senate resolve itself into Executive Session, which motion prevailed.

The President announced that the Senate, in Executive Session, advised the nomination of Fred J. Traynor and Lars O. Fredrickson to succeed themselves as members of the State Board of Higher Education.

**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, January 30, 1945

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Creating an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Young moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTIETH DAY

Bismarck, January 31, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. R. A. Feehan of Bismarck. Roll call: All Senators present except Greiser and Thatcher. The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-ninth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 14.
- Senate Bill No. 67.
- Senate Bill No. 68.
- Senate Bill No. 69.
- Senate Bill No. 72.

And find the same correctly Engrossed.

WALTER TROXEL, Acting Chairman.

Senator Trovel moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, January 31, 1945

Mr. President: I have the honor to transmit:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 46. A Bill for an Act Requiring that County Auditors Be Notified Whenever Lands Owned by the State or Any County or Municipal Corporation Are Sold Upon Contract Providing for a Future Conveyance; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes

So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Concurrent Resolution "A."

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, January 31, 1945

Mr. President: I have the honor to transmit:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. President. Your Committee on Appropriations to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same be amended as follows: Strike out everything after the word BILL and insert attached amendment.

#### AMENDMENT

For an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State

Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. APPROPRIATION.) There is hereby  
 1a appropri-  
 2 ated out of any moneys in the State Treasury, not other-  
 2a wise  
 3 appropriated, the sum of \$30,000.00, or so much thereof,  
 3a as  
 4 may be necessary for the biennium beginning July 1st,  
 4a 1945,  
 5 and ending June 30th, 1947, to provide funds for the State  
 6 Emergency Commission and which fund shall be known  
 6a as the  
 7 State Contingency Fund and be for the purposes  
 7a authorized  
 8 under sections 54-1601 to 54-1604, inclusive, and 54-1606,  
 9 and also section 54-1609 of the North Dakota Revised  
 9a Code  
 10 of 1943.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 41, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, strike out the following language: "and Providing for the Option to Renew Such Leases,".

On line 13 change the comma (,) after the word "state" to a period (.) and strike out all of lines 14, 15, 16, and 17, and insert in lieu thereof the following language: "Farm lands sold after January first of any year shall be sold subject to the existing lease for that year."

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

On line 15 after the comma (,) strike out the balance of the line. Strike out all of line 16. On line 17 strike out the words "intoxicating liquors" and the comma (,). On line 22 change the semi-colon (;) to a period (.) and strike out

balance of line. Strike out all of lines 23, through 30, inclusive. Renumber lines accordingly.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 49, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, strike out the words "Supreme and".

In Section 1, line 1, strike out the words "Supreme Court Judges" and the comma (.). In line 2, strike out the word "and".

In line 3 strike out the words "Supreme Court or a Judge of the".

In Section 2, line 24, strike out the words "Supreme Court or".

In line 27, strike out the comma (,) and insert in lieu thereof a period (.). Strike out the balance of the section.

And renumber the lines accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that the same be amended as follows:

In line 6 strike out the (,) comma and insert the words "or the Veterans Administration",

And when so amended recommend the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 73, have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill, strike out the words "the Bismarck Indian School Plant" and insert in lieu thereof the words "Fraine Barracks in Burleigh County, North Dakota; providing for method of disbursement".

In line 2 of the original bill, after the word "appropriated" insert the words "to the Adjutant General of the State of North Dakota".

In line 3 of the original bill, after the figures (\$15,000.00), insert the words "or so much thereof as may be necessary".

In line 4, strike out the words "and the maintenance" and insert the words "on the buildings at Fraine Barracks in Burleigh County, North Dakota".

Strike out all of Line 5.

Between lines 5 and 6, insert a new Section as follows:

SECTION 2. The appropriation made in Section 1 of this act shall be disbursed by the Adjutant General of the State of North Dakota upon proper vouchers submitted and approved by him.

In line 6, strike out the figure 2 after the word SECTION and insert the figure 3.

Renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF SENATE BILLS

Senator Nelson of McKenzie (by request) introduced:

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Was read the first time and referred to the Committee on Highways.

Senators Peterson, Bridston and Lofthus introduced:

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Was read the first time and referred to the Committee on Insurance.

Senators Drew, Murry, Troxel, Krenz and Semerad introduced:

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Lands.

Senator Morgan introduced:

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on Ways and Means introduced:

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Was read the first time and referred to the Committee on Ways and Means.

Senator Streibel moved that Senate Bill No. 34 be permanently withdrawn, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Absent and not voting:

Greiser	Olson, Mountrail	Thatcher
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So the bill passed and the title was agreed to.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Absent and not voting:

Greiser	Olson, Mountrail	Thatcher
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So the bill passed and the title was agreed to.

Senator Young moved that Senate Bill No. 14 be amended as follows: In line 3 change the figures \$137,950.42 to \$138,950.42. In line 20 change the figure \$37,950.42 to \$38,950.42. In line 25 change the figures \$137,950.42 to \$138,950.42, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 14 be considered properly re-engrossed, and

placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Absent and not voting:

Greiser	Olson, Mountrail	Thatcher
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So the bill passed and the title was agreed to.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund

Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	
Kamrath		

Absent and not voting:

Greiser	Thatcher
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that Senate Bill No. 47 be referred to the Committee on State Affairs, which motion, on a standing vote, was declared lost.

Senator Rue moved that Senate Bill No. 47 be amended as follows: Strike out the period after the last word in Section 1 and insert a comma, and add the following: "subject, however, to such adjustments as may be necessary to reflect the value of the dollar at the time of the valuation of such property to protect the consumer from high rates and utility property from confiscation.", which motion lost.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kchoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Troxel
Feton	Nordhogen	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Brant	O'Brien	Rue
Braun		

Absent and not voting:

Greiser	Thatcher
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So the bill passed and the title was agreed to.

Senator Nordhogen moved that the vote by which Senate Bill No. 47 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 67. A Bill for an Act to Amend and Re enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care

from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Absent and not voting:

Greiser Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog

Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Absent and not voting:		
Greiser	Thatcher	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that Senate Bill No. 69 be laid over one legislative day, which motion prevailed.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Greiser	Nordhougen	Thatcher
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bridston moved that Senate Bill No. 84 be amended as follows: In line 10 after the comma after the word "telephone" add the following: "electric transmission and distribution, gas transmission and distribution", which motion prevailed.

Senator Bridston moved that the rules be suspended, that Senate Bill No. 84 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Rue
Brant	Lofthus	Semerad
Braun	Lynch	Streibel
Bridston	Morgan	Stucke
Brunsdale	Murry	Troxel
Dahlen	Nelson, McKenzie	Wahlund
Drew	O'Brien	Wog
Feton	Oksendahl	Work
Flatt	Olson, Barnes	Young
Foss	Olson, McHenry	
Frojen	Olson, Mountrail	

Those voting in the negative were:

Conrad	Nelson, Griggs-	Shure
Day	Steele	

Absent and not voting:

Greiser	Reinke	Thatcher
Nordhougen	Schrock	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Foss	O'Brien
Bilden	Frojen	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, McHenry
Brant	Krenz	Raschko
Braun	Lofthus	Rue
Bridston	Lynch	Shure
Brunsdale	Morgan	Troxel
Conrad	Murry	Wahlund
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	Nelson, McKenzie	Young
Feton	Nordhougen	
Flatt		

Those voting in the negative were:

Leno	Peterson	Streibel
Olson, Mountrail	Semerad	Stucke

Page

Absent and not voting:

Greiser	Schrock	Thatcher
Reinke		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Braun requested that the Senate be on the eighth order of business, which request was granted.

Senator Braun moved that the President of the Senate appoint a committee of three to work with a like committee from the House to make arrangements for a Joint Session next Tuesday, February sixth, which motion prevailed.

The President appointed on such committee Senators Braun, Leno and Semerad.

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 46. A Bill for an Act Requiring that County Auditors Be Notified Whenever Lands Owned by the State or Any County or Municipal Corporation Are Sold Upon Contract Providing for a Future Conveyance; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for

the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Concurrent Resolution "A."

Was read the first time and referred to the Committee on Agriculture.

The President announced the Senate would be on the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out the figures \$194,712.00 and insert in lieu thereof the figures \$177,712.00.

In line 11, strike out the figures \$42,000.00 and insert in lieu thereof the figures \$35,000.00.

In line 14, strike out the figures \$40,000.00 and insert in lieu thereof the figures \$30,000.00.

In line 17, strike out the figures \$194,712.00 and insert in lieu thereof the figures \$177,712.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the original bill strike out the figures \$271,500.00 and insert in lieu thereof the figures \$260,020.60.

In line 10, strike out the figures \$176,800.00 and insert in lieu thereof the figures \$172,800.00.

In line 11, strike out the figures \$30,000.00 and insert in lieu thereof the figures \$22,500.00.

In line 22, strike out the figures \$1,000.00 and insert in lieu thereof the figures \$800.00.

Add lines 22a and 22b as follows:

Refund to Kutz Garage Overcharges Paid Prior to  
January 1, 1939 \$220.60.

In line 23, strike out the figures \$271,500.00 and insert in lieu thereof the figures \$260,020.60.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 31, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, January 31, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-FIRST DAY

Bismarck, February 1, 1945

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chaplain, Rev. J. C. Schweitzer of Bismarck.  
Roll call: All Senators present except Senators Bilden and Thatcher.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirtieth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

Communication received by Senator Drew from Gus Thelin of Devils Lake opposing the increase in the assessment basis from 50% to 75% was read, and referred to the Committee on Tax and Tax Laws.

A communication from the Williams County Farmers Union supporting the MVA, urging the Legislature to increase the taxable valuation from 50% to 100%, and urging that the State financing agencies, rather than the Federal Land Bank, provide the funds needed to help veterans get a start in farming, was read and referred to the Committee on Tax and Tax Laws.

A telegram addressed to Senator Axel Olson from the Board of Education at Parshall urging support of the school legislative program of the North Dakota educational groups was read.

A communication addressed to the Senators of Mountrail County from the Clerk of the Burke School District, Palermo, urging support of the Bill which increases the assessed valuation from 50% to 75%.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the Revised Code of 1943.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 30.  
Senate Bill No. 46.  
Senate Bill No. 48.  
Senate Bill No. 49.  
Senate Bill No. 66.  
Senate Bill No. 73.  
Senate Bill No. 7.  
Senate Bill No. 28.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

In line 7, after the figures 27, strike out the comma, and the rest of the line and the words "Laws of 1944" in line 8, and insert in lieu thereof "of the Authenticated Edition of the Special Session Laws of 1944".

In line 9, strike out the words "Article 12",

Strike out all of line 10 up to and including the word "Supplement" and insert in lieu thereof the following: "Chapters 23-01, 23-02, 23-03, 23-04, 23-06, 23-07 and 23-14 of the North Dakota Revised Code of 1943".

In line 14, strike out the figures 90,000.00 and insert in lieu thereof the figures 102,000.00.

In line 24, strike out the figures 36,040.00 and insert in lieu thereof the figure 40,000.00.

In line 17, strike out the figures 4,000.00 and insert in lieu thereof the figures 5,000.00.

In line 28, strike out the figures 400.00 and insert in lieu thereof the figures 600.00.

In line 27, strike out the figures 5,000.00 and insert in lieu thereof the figures 6,000.00.

In line 32, strike out the figures 3,000.00 and insert in lieu thereof the figures 4,500.00.

In line 3 of the original bill, strike out the figures \$236,708.00 and insert in lieu thereof the figures \$256,368.00.

In line 45 of the original bill, strike out the figures \$236,708.00 and insert in lieu thereof the figures \$256,368.00.

In line 22, strike out the figures \$138,920.00 and insert in lieu thereof the figures \$151,920.00.

In line 30, strike out the figures \$47,640.00 and insert in lieu thereof the figures \$52,800.00.

In line 36, strike out the figures \$6,500.00 and insert in lieu thereof the figures \$8,000.00.

Renumber lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out Section 369b, all of line 5, and all of line 6, and insert in lieu thereof the following: "Chapter 54-13 of the North Dakota Revised Code of 1943, the".

Renumber lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the original bill after the word Section, strike out the rest of the line, and all of lines 6, 7 and 8 up to the word for, and insert in lieu thereof "29-3013 and 29-3014 of the North Dakota Revised Code of 1943."

Renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 27, have had the same

under consideration and recommend that the same be amended as follows:

In line 3 strike out the figures \$23,710.00 and insert in lieu thereof the figures \$4,400.00.

In line 9 strike out the figures 750.00 and insert in lieu thereof the figures 300.00.

In line 10 of the original bill strike out the figures 1,200.00 and insert in lieu thereof the figures 400.00.

In line 11, strike out the figures 4,320.00 and insert in lieu thereof the figures 1,000.00.

In line 12, strike out the figures 1,000.00 and insert in lieu thereof the figures 600.00.

In line 13, strike out the figures 600.00 and insert in lieu thereof the figures 300.00.

In line 14, strike out the figures 15,840.00 and insert in lieu thereof the figures 1,800.00.

In line 15, strike out the figures \$23,710.00 and insert in lieu thereof the figures \$4,400.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same be amended as follows:

After the words "A BILL" strike out all of the original bill and in lieu thereof insert the following:

"For An Act providing for the transfer of \$50,000.00 from the state capitol building fund for the purpose of erecting a new governor's mansion and equipping the same in the city of Bismarck, North Dakota.

"BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

"SECTION 1. That when there arises in the state capitol building fund and upon the retirement of all refunding certificates outstanding against said fund a surplus, such surplus in the amount of \$50,000.00 shall be transferred and covered into a special fund to be known as the governor's mansion building fund. Such funds shall be used only for the purpose of erecting a new governor's mansion and equipping the same in the city of Bismarck, North Dakota, and shall be expended therefor as the legislative assembly may direct."

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Minerals to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred Senate Bill No. 90, have had the same under consideration and recommend that the same do pass.

MARTIN OLSON, Chairman.

Senator Olson of McHenry moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

The Committee on Temperance introduced:

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages, Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Brant and Olson of Barnes introduced:

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Brant and Olson of Barnes introduced:

Senate Bill No. 111. A Bill for an Act Amending and Re-enacting Section 11-1524 of the North Dakota Revised Code of 1943, Providing for the Transportation of Persons to the Penitentiary, the Training School, the State Hospital for the Insane and to the State School for the Feeble Minded and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

Senators Olson of Mountrail and Streibel introduced:

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting

the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Olson of Mountrail and Streibel introduced:

Senate Bill No. 113. A Bill for an Act Repealing Article 51 of the Amendments to the Constitution of North Dakota Relating to the Appointment of Any Member of the State Legislature to Office or Employment During Their Term of Office.

Was read the first time and referred to the Committee on State Affairs.

Senators Rue, Nordhogen, Raschko, Schrock, Brunsdale and Flatt introduced:

Senate Bill No. 114. A Bill for an Act to Provide for the Regulation, Control and Supervision of Air Commerce by the Public Service Commission; Declaring the Public Policy; Defining the Jurisdiction, Power and Duties of the Commission in the Regulation of Air Commerce and the Enforcement of This Act; Providing for Exemptions; Forbidding Pecuniary Interest; Providing for Separate and Joint Hearings; Prescribing Procedures; Authorizing Issuance of General and Special Certificates, and Transfer Thereof; Providing for Their Modification, Suspension and Revocation; Authorizing Emergency Operations, Extensions and Abandonment of Service; Requiring Security for Protection of the Public; Requiring the Filing and Authorizing the Rejection of Tariffs; Prohibiting Free or Reduced Rates and Rebates with Certain Exceptions; Authorizing Change of Tariffs and Division of Rates; Defining Duties of Carriers; Forbidding Discrimination; Conferring Power to Regulate and Suspend Rates, and to Establish Through Service or Joint Rates; Prescribing Prudent Investment for Rate-making Purposes; Prohibiting Discrimination in Long and Short Haul; Requiring Publication and Filing of Time Tables and Improvement of Air Service; Requiring the Keeping of Proper Accounts and Records and Authorizing Their Inspection; Providing for Reparation of Overcharges; Conferring Power to Establish a State Airway System and to Accept Federal Aid; Prescribing Penalties; Imposing Fees and Providing for Their Disposition; Authorizing the Employment of Assistants, and Making an Appropriation to Carry Out the Purposes of This Act.

Was read the first time and referred to the Committee on State Affairs.

Senators Drew, Streibel, Stucke, Day, Olson of Mountrail, Young, Bridston, Schrock and Dahlen introduced:

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services,

Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Was read the first time and referred to the Committee on Ways and Means.

Senators Stucke and Drew introduced:

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Was read the first time and referred to the Committee on Public Health.

Senators Stucke and Drew introduced:

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Was read the first time and referred to the Committee on Public Health.

Senator Day introduced:

Senate Bill No. 118. A Bill for an Act to Amend and Re-enact Section 40-4525 of the North Dakota Revised Code of 1943, Providing for the Hours of Duty of Policemen in Cities Over Two Thousand Population and Describing Limitations and Exceptions Thereto.

Was read the first time and referred to the Committee on Corporations.

Senators Rue, Young, Kehoe and Page introduced:

Senate Bill No. 119. A Bill for an Act Authorizing Counties, Cities, Villages, and Organized Townships to License and Regulate Amusement Games Including Such Games and Devices as Electric Ray Guns, Music Boxes, Picture Boxes, Bumper Ball or Pin Ball, and Other Similar Miniature Games, and Pool Halls, Billiard Rooms, Ball Alleys, Pin Alleys, Dance Halls, Theaters, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks Are Retailled or Where Cigars or Tobacco are Sold and Halls Owned Privately and Used for Public Purposes; Limiting License Fees; Prohibiting Any Person from Setting Up for Operation, Leasing, or Distributing for the Purpose of Operating Any Such Amusement Game or Engaging in Any Such Business Without First Having Obtained a License Therefor; Providing for the Enforcement of This Act and Penalties for the Violation Thereof; and Repealing Chapters 53-04 and 53-06 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Bilden	Oksendahl	Thatcher
Day		

So the bill passed and the title was agreed to.

Senator Young moved that Senate Bill No. 69 be placed at the head of the calendar, which motion prevailed.

Senator Young moved that Senate Bill No. 69 be re-referred to the Committee on Military and Indian Affairs, which motion prevailed.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden	Thatcher
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So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden	Thatcher
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So the bill passed and the title was agreed to.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill in its original form, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Lynch	Raschko
Braun	Morgan	Reinke
Bridston	Murry	Rue
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhogen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Those voting in the negative were:

Brant	Leno	Schrock
Greiser	Lofthus	Semerad
Krenz		

Absent and not voting:

Bilden	Thatcher
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So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which Senate Bill No. 41 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Foss	Nordhogen
Bond	Frojen	O'Brien
Brant	Kamrath	Oksendahl
Braun	Kehoe	Olson, Barnes
Bridston	Krenz	Page
Brunsdale	Leno	Reinke
Conrad	Lofthus	Rue
Dahlen	Lynch	Schrock
Day	Morgan	Troxel
Drew	Nelson, Griggs-	Wahlund
Feton	Steele	Work
Flatt	Nelson, McKenzie	Young

Those voting in the negative were:

Greiser	Peterson	Streibel
Murry	Raschko	Stucke
Olson, McHenry	Semerad	Wog
Olson, Mountrail	Shure	

Absent and not voting:

Bilden	Blank	Thatcher
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dahlen moved that the vote by which Senate Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Greiser

Absent and not voting:

Bilden Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Frojen	Olson, McHenry
Blank	Kamrath	Olson, Mountrail
Bond	Kehoe	Page
Brant	Krenz	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Troxel
Drew	Nordhougen	Wog
Feton	O'Brien	Work
Flatt	Oksendahl	Young
Foss	Olson, Barnes	

Those voting in the negative were:

Greiser	Peterson	Streibel
Leno	Semerad	Wahlund
Nelson, McKenzie		

Absent and not voting:

Bilden Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel moved that the vote by which Senate Bill No. 49 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 57. A Bill for an Act Defining Isonipechane and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Kehoe	Olson, Mountrail
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Raschko
Brunsdale	Lynch	Reinke
Conrad	Morgan	Rue
Dahlen	Murry	Schrock
Day	Nelson, Griggs-	Semerad
Drew	Steele	Shure
Feton	Nelson, McKenzie	Streibel
Flatt	Nordhougen	Stucke

Foss	O'Brien	Troxel
Frojen	Oksendahl	Wahlund
Greiser	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Work
Absent and not voting:		
Beaton	Bridston	Young
Bilden	Thatcher	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Beaton	Bilden	Thatcher
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Blank	Frojen	Page
Bond	Kamrath	Peterson
Brant	Kehoe	Raschko
Braun	Krenz	Reinke
Bridston	Leno	Rue
Brunsdale	Lofthus	Schrock
Conrad	Lynch	Shure

Dahlen	Morgan	Stucke
Day	Nelson, Griggs-	Troxel
Drew	Steele	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young

Those voting in the negative were:

Greiser	Nordhougen	Semerad
Murry	Olson, McHenry	Streibel
Nelson, McKenzie	Olson, Mountrail	

Absent and not voting:

Beaton	Bilden	Thatcher
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So the bill passed and the title was agreed to.

Senator Feton moved that the vote by which Senate Bill No. 81 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Frojen	Olson, Barnes
Bond	Kamrath	Peterson
Brant	Kehoe	Raschko
Braun	Krenz	Reinke
Bridston	Leno	Rue
Brunsdale	Lofthus	Schrock
Conrad	Lynch	Shure
Dahlen	Morgan	Stucke
Day	Murry	Troxel
Drew	Nelson, Griggs-	Wahlund
Feton	Steele	Wog
Flatt	Nordhougen	Work
Foss	Oksendahl	Young

Those voting in the negative were:

Greiser	Olson, McHenry	Semerad
Nelson, McKenzie	Olson, Mountrail	Streibel

Absent and not voting:

Beaton	O'Brien	Thatcher
Bilden	Page	

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 87 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Stucke moved that the Chair appoint a Committee to escort former Congressman Pat Norton to the rostrum, which motion prevailed.

The President appointed as a Committee of One Senator Stucke.

Senator Stucke conducted former Congressman Norton to the rostrum.

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 5; passed, 1.

Those voting in the affirmative were:

Blank	Kamrath	Olson, Mountrail
Bond	Kehoe	Page
Brant	Krenz	Peterson
Braun	Leno	Raschko
Bridston	Lofthus	Reinke
Brunsdale	Lynch	Rue
Conrad	Morgan	Schrock
Dahlen	Murry	Semerad
Day	Nelson, Griggs-	Stucke
Drew	Steele	Troxel
Feton	Nordhougen	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Those voting in the negative were:

Shure                      Streibel

Passed:

Nelson, McKenzie

Absent and not voting:

Beaton	Greiser	Thatcher
Bilden	O'Brien	

So the bill passed and the title was agreed to.

Senator Nelson of McKenzie requested to be excused from voting as he was a member of the Board, which request was granted.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Paying Compensation to the Widows of Former Governors of the State of North Dakota; Declaring an Emergency.

Was read the second time.

Senator Olson of Mountrail moved that Senate Bill No. 33 be indefinitely postponed.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Senator Olson of Mountrail, the roll was called and there were ayes, 29; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Blank	Murry	Raschko
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Brunsdale	Nelson, Griggs-	Reinke
Dahlen	Steele	Schrock
Drew	Nelson, McKenzie	Semerad
Feton	Nordhougen	Shure
Foss	Oksendahl	Streibel
Kamrath	Olson, McHenry	Stucke
Leno	Olson, Mountrail	Troxel
Lofthus	Page	Wahlund
Lynch	Peterson	Young
Those voting in the negative were:		
Beaton	Day	Morgan
Bond	Flatt	Olson, Barnes
Brant	Frojen	Rue
Braun	Kehoe	Wog
Bridston	Krenz	Work
Conrad		
Absent and not voting:		
Bilden	O'Brien	Thatcher
Greiser		

So the bill was indefinitely postponed.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:		
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Greiser	Thatcher
Bilden	O'Brien	

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement,

Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE BILLS

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the Revised Code of 1943.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 47. A Bill for an Act Legalizing the

Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Oksendahl moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-SECOND DAY

Bismarck, February 2, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. J. C. Schweitzer of Bismarck.

Roll call: All Senators present except Senators Bilden, Murry and O'Brien.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-first day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhaugen moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

A communication received by Senator Reinke from the Board of County Commissioners of Richland County urging support of House Bill 38 was read.

North Dakota  
SOCIETY OF PROFESSIONAL ENGINEERS  
Bismarck, North Dakota  
February 2, 1945

Honorable C. P. Dahl

Lieutenant Governor and President of the Senate

Dear Sir:

The North Dakota Society of Professional Engineers has established a Public Relations Committee, one of the duties of which is to furnish information relative to the engineering profession and its development in service to the state.

The Society has no proposals to make to the Legislature. However, by unanimous vote, the Committee offers its services to the members of the Legislature on matters pertaining to professional engineering.

The Committee, on behalf of the Society, wishes to express hearty approval of the third resolution, presented to the Legislature by the North Dakota County Commissioners Association, calling for the employment of "capable engineers—to safeguard the interests of North Dakota in the expenditure of the funds made available for highway purposes".

The Committee also wishes to express its appreciation for

the action of the 1943 Legislature in providing for the Registration of Professional Engineers.

Sincerely yours,  
**PUBLIC RELATIONS COMMITTEE**  
**K. C. LAUSTER**  
 Sanitary Engineer, Chairman  
 Registered Professional Engineer  
**ALEX C. BURR**  
 Chemical Engineer  
 Registered Professional Engineer  
**FRANK E. CAVE**  
 Structural Engineer  
 Registered Professional Engineer  
**P. K. LEWIS**  
 Civil Engineer  
 Registered Professional Engineer  
**L. A. FRENCH**  
 Civil Engineer  
 Registered Professional Engineer

Senator Brunsdale moved that the communication from the Society of Professional Engineers be printed in the Journal, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
 Bismarck, February 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, February 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

**SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 5.  
Senate Bill No. 27.  
Senate Bill No. 44.  
Senate Bill No. 18.  
Senate Bill No. 13.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out the figures \$224,500.00 and insert in lieu thereof the figures \$399,500.00.

In line 15, strike out the figures 30,000.00 and insert in lieu thereof the figures \$15,000.00.

In line 16, strike out the figures 25,000.00 and insert in lieu thereof the figures 50,000.00.

In line 18, strike out the figures 10,000.00 and insert in lieu thereof the figures 5,000.00.

In line 25, strike out the figures 100,000.00 and insert in lieu thereof the figures 250,000.00.

Add line 25a as follows:

Engineering and Geological Surveys and

Demonstrations ..... 20,000.00

In line 26, strike out the figures \$224,500.00 and insert in lieu thereof the figures \$399,500.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out the figures \$300,000.00 and insert in lieu thereof the figures \$175,000.00.

In line 18, strike out the figures \$200,000.00 and insert in lieu thereof the figures \$100,000.00.

In line 23, strike out the figures 100,000.00 and insert in lieu thereof the figures 75,000.00.

In line 24, strike out the figures \$300,000.00 and insert in lieu thereof the figures \$175,000.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out everything after the word Section, strike out all of line 5, and line 6, up to and including the word Laws, and insert in lieu thereof the following: "39-0467 of the North Dakota Revised Code of 1943".

In line 15, strike out the figures \$9,000.00 and insert in lieu thereof the figures \$12,000.00.

Strike out all of line 16.

In line 17, strike out the figures 182,000.00 and insert in lieu thereof the figures 188,000.00.

Strike out all of line 22 up to and including 1933 and insert in lieu thereof the following "24-0207 of the North Dakota Revised Code of 1943".

Renumber the lines.

And when so amended recommend the same do-pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of line 6 after the word "Chapter" and all of line 7 up to and including the word "thereof" and insert in lieu thereof the following:

"37-13 of the North Dakota Revised Code of 1943".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 31, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the word Sections,

Strike out all of line 5 and line 6 up to and including 1913 and insert in lieu thereof "Chapter 18-08 of the North Dakota Revised Code of 1943"

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 58, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 80, have had the same under consideration and recommend that the same be indefinitely postponed.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 40, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Concurrent Resolution "A", have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Concurrent Resolution "E", have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

Senators Fetton and Nelson of McKenzie introduced:

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Was read the first time and referred to the Committee on Education.

Senators Bridston, Oksendahl and Kehoe introduced:

Senate Bill No. 121. A Bill for an Act to Give the Governing Body of Any City, Park District, Village, or Township Authority to Erect or Establish Memorials or Other Suitable Recognition in Commemoration of and Gratitude to Service Men and Women in World War II, to Create a Memorial Fund and to Make a Levy Therefore.

Was read the first time and referred to the Committee on Corporations.

The Committee on Irrigation and Drainage introduced:

Senate Bill No. 122. A Bill for an Act to Ratify and

Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the first time and referred to the Committee on Irrigation and Drainage.

The Committee on Appropriations introduced:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Was read the first time and referred to the Committee on State Affairs.

Senator Day and Bridston introduced:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Was read the first time and referred to the Committee on Corporations.

Senators Schrock, Reinke and Morgan introduced:

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Was read the first time and referred to the Committee on Insurance.

The Committee on Tax and Tax Laws introduced:

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Day and Kehoe introduced:

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of

1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Bridston, Lynch and Brant introduced:

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Tax and Tax Laws.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young

Absent and not voting:

Billen	Flatt	O'Brien
Day	Murry	

So the bill passed and the title was agreed to.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that the action by which Senate Bill No. 50 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 50 be re-referred to the Committee on State Affairs, which motion prevailed.

Senator Flatt moved that Senate Bill No. 115, which was referred to the Committee on Ways and Means, be re-referred to the Committee on Public Health, which motion prevailed.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special

Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Page	

Absent and not voting:

Bilden	Murry	Olson, Mountrail
Brunsdale	O'Brien	Young

So the bill passed and the title was agreed to.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Greiser	Page	Young
Kamrath		

Absent and not voting:

Bilden Murry O'Brien  
 Brunsdale

So the bill passed and the title was agreed to.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Greiser	Page	Young
Kamrath		

Absent and not voting:

Bilden Murry O'Brien  
 Brunsdale

So the bill passed and the title was agreed to.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same in the City of Bismarck, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog

Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath	Page	

Those voting in the negative were:

Thatcher

Absent and not voting:

Bilden	Foss	O'Brien
Brunsdale	Murry	

So the bill passed and the title was agreed to.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhousen	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young

Absent and not voting:

Bilder	Foss	O'Brien
Brunsdale	Murry	

So the bill passed and the title was agreed to.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock

Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Work
Greiser	Page	Young
Kamrath		

Those voting in the negative were:

Brant	Olson, Barnes	Wog
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Absent and not voting:

Bilden	Murry	O'Brien
Foss		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel moved that the vote by which Senate Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nordhougen moved that House Bill No. 37 be laid over until Wednesday, February 7th, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Was read the first time and referred to the Committee on Tax and Tax Laws.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the

Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Diseased Veterans, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-THIRD DAY

Bismarck, February 3, 1945 -

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chaplain, Rev. J. C. Schweitzer of Bismarck.

Roll call: All Senators present except Senators Bilden, Foss, Greiser, Murry, O'Brien, Raschko, Schrock, Stucke, Wahlund and Work.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-second Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 2.
- Senate Bill No. 3.
- Senate Bill No. 6.
- Senate Bill No. 22.
- Senate Bill No. 31.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 107, have had the same under consideration and recommend that the same be amended as follows:

On line 2, strike out the word "A" and insert in lieu thereof, the word "Any".

On line 5, after the word "sixty", insert the word "five", strike out the word "may" and insert in lieu thereof the word "shall".

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that former Senator Ole Ettestad be escorted to the rostrum, which motion prevailed.

The President appointed Senator Brunsdale as a committee of one to escort former Senator Ettestad to the rostrum.

Former Senator Ettestad: "There are a lot of things that have transpired since the first time I came into the Senate. I remember back in 1919 when we really did business. Senator Bond introduced a Bill which didn't suit us very well, so we struck out everything after "A Bill" and after the name of Senator Bond and re-wrote it the way it should be. Then Bond didn't want to be father of the Bill any longer but we made him adopt the child anyway. We had lots of scraps.

"Now I think things are much easier. You are all more progressive than we have been and the Democrats and Republicans all seem to need the same thing. I see no difference between the Republicans and Democrats in here, except probably the Democrats are supposed to have little longer ears.

"There ought to be great changes in the next twenty-five years. Now I believe we are going to have the Missouri River diversion. I think that from now on the Government will take over such things as the Missouri River, will own and control them. We will probably have great cartels and corporations and they will probably be government-controlled to a certain extent because when these corporations get so big that they become dangerous to the community they must be controlled. But the thing which is most important—I hope the small businessmen and individual farmers can operate their own farms and businesses without being interfered with by the Federal Government. One thing that makes life worthwhile is when everybody can run his own affairs—that is liberty and that is the kind of government we enjoy. A small farm or a small business never gets so big that it is dangerous to the community.

"I have always figured that the function of government is the protection of the common man. The big fellows can generally take care of themselves.

"I am not going to take very much time but I will speak a little bit about organizations. I have always figured that we organize now farmer for farmer, labor for labor and

business for business, until we come in conflict with one another. I have heard the Farmers Union over the radio and they are nearly big enough and will get big enough with the farmers under their control to strike and force labor to pay. I don't believe in force, and I believe it is to the farmer's benefit to have the laborers and businessmen make good as well as the farmer. When the laborers and the businessmen make good you don't need to force them. If they need an extra beefsteak they can buy it. It is as important for the farmer to have the businessmen and laborers make good as it is for the farmer himself to make good.

"We have heard talk about farm insurance. The crop insurance—what a wonderful thing it is! I hear a Farmers Union man over the radio every noon talk about it. I have had some experience with this insurance as the Chairman of the AAA program. Now about that insurance as it is in my district. Say we have eight bushels to the acre (I couldn't live on eight bushels if that were all I had, but we will say it is good enough)—that is after they have taken out the loss of hail, grasshoppers and everything—I have eight bushels to the acre. I got that from the Lord without paying him any premium. Can anyone tell me why I should insure for six bushels to the acre to Uncle Sam and give them two bushels to insure me? As long as I have been getting eight bushels for 25 or 30 years I don't need to insure for six bushels. They say I must insure for seed. When they take two bushels to the acre to insure me I can sow my land twice, so I can't see any sense in that kind of insurance.

"We have natural resources which I think the people will take care of more in the future than they have in the past. We have destroyed natural resources which I think we should do something to preserve. We must work together for the benefit of all the people, otherwise government is a failure.

"Then we have those individuals who own homes who must be protected. If you don't have your home protected you are going to destroy the foundation of the Government because the home is what keeps the government going.

"Thank you for this opportunity."

Senator Brunsdale moved that the remarks of former Senator Etestad be printed in the Journal, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 3, 1945

Mr. President: I have the honor to transmit:

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-

enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 3, 1945

Mr. President: I have the honor to return:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS

The Committee on Temperance introduced:

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Temperance.

The Committee on Temperance (by request) introduced:

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the Revised Code of 1943.

Was read the first time and referred to the Committee on Judiciary.

Senators Krenz and Kehoe introduced:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Was read the first time and referred to the Committee on Corporations.

The Committee on Judiciary introduced:

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Was read the first time and referred to the Committee on Judiciary.

Senators Bilden, Kehoe and Brant introduced:

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

Senator Page introduced:

Senate Bill No. 136. A Bill for an Act to Amend and Re-enact Chapter 26-23 of the North Dakota Revised Code of 1943, and Transfer the Management of the State Bonding Fund from the Commissioner of Insurance to the Industrial Commission.

Was read the first time and referred to the Committee on Insurance.

Senator Page introduced:

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Chapter 26-22 of the 1943 Code and Transfer the Management and Control of the State Hail Insurance Department from the Commissioner of Insurance to the Industrial Commission; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Insurance.

Senator Page introduced:

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 28 of Special Session Laws of 1944 and Transfer the Management of the Fire and Tornado Fund from the Insurance Commissioner to the Industrial Commission.

Was read the first time and referred to the Committee on Insurance.

Senators Kehoe, Drew, Reinke and Streibel introduced:

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota

Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Was read the first time and referred to the Committee on Judiciary.

Senator Day (by request) introduced:

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Was read the first time and referred to the Committee on Education.

Senators Braun, Frojen, Blank and Brant introduced:

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Was read the first time and referred to the Committee on Judiciary.

Senators Braun, Frojen, Blank and Brant introduced:

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Ways and Means.

Senators Rue and Streibel introduced:

Senate Bill No. 143. A Bill for an Act Providing State Aid in the Purchase or Construction of Homes for Aged People Who Are Residents of North Dakota by Charitable, Religious and Eleemosynary Corporations Not Operated for Profit and Which Are Exempt from Federal and State Income, Real and Personal Property Taxes; Providing that the Board of Administration Shall Administer This Act; Making an Appropriation to Carry Out the Provisions of This Act; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Appropriations introduced:

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Was read the first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Was read the first time and referred to the Committee on Appropriations.

Senator Nelson of McKenzie introduced:

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Brant, Brunsdale, Blank and Kamrath introduced:

Senate Bill No. 147. A Bill for an Act to Provide for the Refunding of a License Tax Paid Upon Motor Vehicle Fuel Used for Other Purposes Than in Motor Vehicles Operated or Intended to Be Operated in Whole or in Part Upon the Public Highways of the State of North Dakota; Providing for Prompt Payment of Said Claims; Providing for Refunds to State, County, City, Village, Township, Park District, or Other Municipalities in This State; Providing for the Administration of This Act by the State Auditor; and Providing for the Repeal of Subsection 5 of Section 57-4101, North Dakota Revised Code of 1943, and for the Repeal of Sections 57-4119, 57-4120, 57-4121, 57-4122, 57-4123, 57-4124, 57-4125, 57-4126, 57-4127, 57-4128, 57-4129, 57-4130 and 57-4131, North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Thatcher, Braun and Streibel introduced:

Senate Bill No. 148. A Bill for an Act to Authorize the Possession, Sale, Purchase, Exhibition and Distribution of Merchandising Boards and the Sale of Goods, Wares and Merchandise by Means of Merchandising Boards; Providing Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Flatt moved that a committee be appointed for the purpose of arranging for photographs of the Senate members, which motion prevailed.

The President appointed on such committee Senators Work, Nordhogen and Dahlen.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, McHenry
Bond	Krenz	Olson, Mountrail
Brant	Leno	Page
Braun	Lofthus	Peterson
Bridston	Lynch	Reinke
Brunsdale	Morgan	Rue
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure

Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Thatcher
Flatt	Oksendahl	Troxel
Frojen	Olson, Barnes	Wog
Kamrath		
Absent and not voting:		
Bilden	Murry	Stucke
Blank	O'Brien	Wahlund
Feton	Raschko	Work
Foss	Schrock	Young
Greiser		

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Flatt	Oksendahl	Wog
Frojen	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden	Greiser	Schrock
Blank	Murry	Stucke
Feton	O'Brien	Wahlund
Foss	Raschko	Work

So the bill passed and the title was agreed to.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

Senator Streibel moved that in line 15 of Senate Bill No. 6 the figure "\$12,000.00" be deleted and "\$9,000.00" inserted.

Senator Young made a substitute motion that Senate Bill No. 6 be laid over one day.

Senator Streibel moved that Senate Bill No. 6 be re-referred to the Committee of Appropriations, which motion, on a standing vote, prevailed.

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Flatt	Oksendahl	Wog
Frojen	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilden	Greiser	Schrock
Blank	Murry	Stucke
Feton	O'Brien	Wahlund
Foss	Raschko	Work

So the bill passed and the title was agreed to.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Flatt	Oksendahl	Wog
Frojen	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Bilder	Greiser	Schrock
Blank	Murry	Stucke
Feton	O'Brien	Wahlund
Foss	Raschko	Work

So the bill passed and the title was agreed to.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Bond	Leno	Page
Brant	Lofthus	Peterson
Bridston	Lynch	Reinke
Brunsdale	Morgan	Rue
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhogen	Thatcher
Flatt	Oksendahl	Troxel
Frojen	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Kehoe		

Absent and not voting:

Bilden	Greiser	Schrock
Blank	Murry	Stucke
Braun	O'Brien	Wahlund
Feton	Raschko	Work
Foss		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

#### SECOND READING OF HOUSE BILLS

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Bond	Leno	Page
Brant	Lofthus	Peterson
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhogen	Thatcher
Drew	Oksendahl	Troxel
Frojen	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Kehoe		

## Absent and not voting:

Bilden	Greiser	Schrock
Blank	Murry	Stucke
Feton	O'Brien	Wahlund
Flatt	Raschko	Work
Foss		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nordhougen moved that the vote by which House Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## House Concurrent Resolution "A".

Was read the second time.

Senator Flatt moved that the Senate do adopt House Concurrent Resolution "A", which motion prevailed, and the Resolution was unanimously adopted.

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Was read the second time.

Senator Thatcher moved that House Concurrent Resolution "E" be adopted, which motion prevailed, and the Resolution was unanimously adopted.

Senator Young moved that the action by which Senate Bill No. 6 was re-referred to the Committee on Appropriations be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 6 be placed on the calendar for Monday, February 5th, which motion prevailed.

Senator Page requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that the Calendar Clerk be instructed to insert the page of the Journal on which the printed Resolution appears after the number of the Resolution on the calendar, which motion prevailed, and the Calendar Clerk was so instructed.

## FIRST READING OF HOUSE BILLS

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of

1943 Providing for the Salary and Expenses of Court Reporters.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Banks and Banking.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 3, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion Equipping the Same in the City of Bismarck, North Dakota.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 57. A Bill for an Act Defining Isonipechian and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-FIFTH DAY

Bismarck, February 5, 1945

The Senate convened at 2:00 p.m., the President presiding.  
 Prayer by the Chaplain, Rev. O. O. Andvik of Mandan.  
 Roll call: All Senators present except Senators Bilden and Wahlund.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-third day and recommend that the same be corrected as follows:

On page 206, in line 14, change the sponsors of Senate Bill No. 141 to read "Senators Braun, Frojen, Blank and Brant"

And when so corrected recommend that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## DEPARTMENT OF LEGISLATION, N.D.F.W.C.

Bismarck, North Dakota,  
 February 5, 1945

Hon. C. P. Dahl,  
 Lieut. Governor and President  
 Senate and Members of the State Senate  
 Bismarck, N. Dak.

RE: Senate Bill 64.

Gentlemen:

I deem it a privilege to have this opportunity to address this letter to you and the Senate body of the 29th Legislative Assembly of North Dakota; in defense of Senate Bill 64. This bill as you know, provides for the Licensing and regulation of Practical Nurses, also provides for the training of Practical Nurses.

As an officer of the largest womens organization in the World, The General Federation of Womens Clubs, Inc. numbering over 2,500,000, federated club women, this organization has as one of its hundreds of major objectives in our Legislative Department, a Nursing Program. Thousands of Public Health Nurses have been secured through the efforts of Federated Club Women. Thousands of Scholarships for stu-

dents for Practical Nurses have been awarded, totalling a quarter of a million dollars.

Therefore, having had this vitally important Legislative Measure of S. B. 64, called to my attention, I am therefore, asking you, gentlemen of this Legislative body, to please study the merits of this bill in its entirety and the facts, I will endeavor to call to your attention and we plead for its passage, which will do much in the saving and protection to humanity in our Post-War Program.

I am certain, that you will agree with me, that we owe it to the sick people, to provide the kind of nursing service they need; not only in the hospitals, but in rural communities as well.

Most insistently, it is essential to produce safe practical nursing, by examination and licensure of individuals prepared to do this type of nursing. Even within this group, there is a decrease in the number applying for practical nursing training and I am informed, upon inquiry, that the prospect for schools for their training has been bleak. Many young women have been greatly encouraged by our Club Women everywhere, through our interest and financial aid, through our Scholarships and Student Loan Funds.

It is very important to remember that training should be encouraged only in State approved schools and that State licensure should be established as a controlling factor.

If approved schools could be built up as soon as possible and the students paid while learning, (like cadet nurses) this would I am sure, be an incentive to more young women entering this field of work.

There seems to be a strategic moment to establish when applied for state approved General Schools for the household training of attendants, to develop adequate supervised experience for them in all our small accredited hospitals, which are and will continue to be desperately in need of their services, as many homes and then promote practice for them as Licensed Practical Nurses in hospitals, homes, State Institutions, Industries and Public Health Nursing Associations.

We must not forget that we, ourselves are an aging population and that along with that tremendous expansion in the care and rehabilitation of Service men and women will create a demand for nursing after the war.

The care of those with degenerative diseases, the increase of cancer and cardiac conditions and many old age and indigent people, constitute a growing burden. County Welfare Boards are already staggered by the needs of this old age group. Both Bismarck Homes for the aged and indigent folk, are filled to their capacity and many have been placed in private homes. Therefore, full time Registered Nurses are neither necessary nor available for those patients. So their employment in but the supervisory capacity would be wasteful.

This Legislative Bill, S.B. 64 would create new and Post-War opportunities for Licensed Practical Nurses. This group wants help and guidance and the Professional Nurses and the public can no longer side-step this issue and it is the need now and later of the community as a whole for this

type of service, which is calling us to account. It appears to me this will be a major objective of our Post-War Planning.

In closing, may I please, inject here, that on July 27, 1944, I was appointed by our State Federation President, to represent our organization, at a conference, called by Governor Moses, to meet at his office. The conference was called for the purpose of considering health conditions of our state, as a Post-War project. There were over forty delegates from various organizations from all over the state. Much interest was manifested in this health program. The Doctors, Dentists and Educators were well represented. As a result of this conference, the Governor was authorized to appoint a suitable committee to make a survey of the health conditions in the various parts of our state, particularly in the rural communities. Many of these communities reported that they had not had a Doctor in their midst since the war; as Doctors have been called into service. Others reported that a Doctor lived hundreds of miles from them. I merely mention these facts, as related at this conference, to show the vital needs of this nursing program, as a Post-War Measure. I will refer you to a little book gotten out by the POST WAR PLANNING BOARD, 1944, called "QUICK FACTS ABOUT POST-WAR PLANNING OF NORTH DAKOTA." and I again refer you to page 23, of this book, under citation, "HEALTH" and I quote a part of it,

"HEALTH; I—Conservation of human resources to become concerned with the health of the people and take active and effective steps to continue and secure adequate Public Health Service etc." end of quote. Six others are listed, this being the first one listed.

This I am sure will aid us in our presentation of the merits of the passage of S.B. 64. Again asking you for your careful study and consideration of this measure, I am, In all sincerity,

Very cordially yours,

MRS. ALFRED ZUGER,  
Director and State Chairman, Legislation,  
N. D. Federation of Womens Clubs, Inc.

The above communication was referred to the Committee on Public Health.

Senator Rue moved that the communication from the North Dakota Federation of Women's Clubs be printed in full in the Journal, which motion prevailed.

Senator Streibel moved that when communications are read only a synopsis of the communication appear in the Journal, and when communications are referred to a Committee they be not read, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 5, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 107.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 61, have had the same under consideration and recommend that the same be indefinitely postponed.

J. F. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

Senators Morgan, Brunsdale, Drew and Conrad introduced:

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

Senator Bridston (by request) introduced:

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Was read the first time and referred to the Committee on State Affairs.

Senator Dahlen introduced:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Was read the first time and referred to the Committee on Corporations.

Senators Braun and Kehoe introduced:

Senate Bill No. 152. A Bill for an Act to Provide for the

Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senator Dahlen introduced:

Senate Bill No. 153. A Bill for an Act Amending and Re-enacting Section 12-5513, of the North Dakota Revised Code of 1943, Relating to a Person Convicted and Under Sentence for Murder in the First Degree; When Subject to Pardon, Parole, or Commutation.

Was read the first time and referred to the Committee on Judiciary.

Senators Feton and Kehoe introduced:

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Was read the first time and referred to the Committee on Judiciary.

Senators Bridston and Day introduced:

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law, in Cities Having a Population Less Than Twenty-five Thousand and in Excess of Twenty Thousand.

Was read the first time and referred to the Committee on Corporations.

#### FIRST READING OF SENATE BILLS

Senators Bridston and Day introduced:

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Was read the first time and referred to the Committee on Corporations.

Senators Day and Braun introduced:

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 40-0807 of the North Dakota Revised Code of 1943 Relating to Compensation of Aldermen.

Was read the first time and referred to the Committee on Corporations.

Senator Peterson (by request) introduced:

Senate Bill No. 158. A Bill for an Act to Provide for the Clearing at Par of All Checks Drawn on the Bank of North Dakota, or Any Other Bank, Trust Company or Financial Institution Organized Under the Laws of the State of North Dakota; Providing for Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

The Committee on Irrigation and Drainage introduced:

Senate Bill No. 159. A Bill for an Act Making an Appropriation to the State Water Conservaiton Commission for the Purpose of Enabling the State of North Dakota to

Cooperate with the United States, or Any Department or Agency Thereof, in the Establishment and Construction of Works of Improvement for Flood Control, Water Conservation, Stream-flow Regulation, and for Other Purposes, on Knife, Pembina, Tongue, Sheyenne and Park Rivers.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senators Day, Olson of Barnes, Troxel and Olson of Mountrail introduced:

Senate Bill No. 160. A Bill for an Act Providing That No Persons Under the Age of Twenty-one Years Shall Be Allowed or Permitted to Enter Any Place Where Intoxicating Liquors Are Sold, Dispensed or Consumed; and Providing Penalty.

Was read the first time and referred to the Committee on Temperance.

Senator Leno introduced:

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on Mines and Mining.

Senators Blank and Schrock (by request) introduced:

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943, Relating to Tax Levy Limitations in Cities.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Young, Day and Flatt introduced:

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Was read the first time and referred to the Committee on Elections.

Senator Schrock (by request) introduced:

Senate Bill No. 164. A Bill for an Act Authorizing the Removal from Office of Any Member of the Governing Board of Any School District by the Governor, and Prescribing the Procedure Therefor; and Providing That the Method of Removal Hereby Shall Be Deemed Cumulative and as Not Repealing Any Existing Law.

Was read the first time and referred to the Committee on Education.

Senator Olson of Mountrail moved that the President appoint a committee of three to act with a like committee from the House to arrange for a Joint Memorial Session and to prepare proper Resolutions for same, which motion prevailed.

The President appointed as such committee Senators Olson of Mountrail, Nelson of Griggs-Steele and Day.

Senator Flatt moved that the President appoint a committee of one to send a telegram of birthday congratulations to the Brown quadruplets, who today are four years old, which motion prevailed.

The President appointed Senator Flatt as such committee of one.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Barnes
Blank	Kehoe	Olson, Mountrail
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Raschko
Bridston	Lynch	Reinke
Brunsdale	Morgan	Rue
Dahlen	Murry	Stucke
Day	Nelson, Griggs-	Thatcher
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Wog
Flatt	Nordhougen	Work
Foss	O'Brien	Young
Frojen	Oksendahl	

Those voting in the negative were: .

Conrad	Schrock	Shure
Greiser	Semerad	Streibel
Olson, McHenry		

Absent and not voting:

Bilden	Wahlund
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So the bill passed and the title was agreed to.

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Was read the second time.

Senator Drew moved that Senate Bill No. 108 be amended as follows: .In line 10, after the word "charity" strike out the period, add a comma, and the following language: "including carnivals and circuses", which motion lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Krenz	Page
Bond	Leno	Peterson
Brant	Lofthus	Raschko

Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Those voting in the negative were:

Beaton	Greiser	Shure
Dahlen	Olson, Barnes	Troxel
Frojen	Olson, McHenry	

Absent and not voting:

Bilden	Wahlund
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So the bill passed and the title was agreed to.

Senator Young moved that Senate Bill No. 6 be laid over two legislative days, which motion prevailed.

Senator Krenz requested that the Senate be on the eighth order of business, which request was granted.

Senator Krenz moved that the President appoint a committee of one to escort former Senator Nelson, of Renville County, to the rostrum, which motion prevailed.

The President appointed Senator Krenz as such committee of one.

Former Senator Nelson, of Renville County: "The only thing I have to say is I am very happy to be here and appreciate very much meeting my friends here again. I spent a couple of sessions here and it is very interesting to come down here. I couldn't resist the temptation.

"I see a lot of new faces here, some I haven't met, but you all look good to me here and I think you are doing a good job.

"Thank you."

Senator Flatt moved that the remarks of former Senator Nelson be printed in the Journal, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code

of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Was read the first time and referred to the Committee on Agriculture and Livestock.

#### SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 45.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 45.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 5, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 5, 1945

Mr. President: I have the honor to transmit:

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registra-

tion and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 5, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 12:30 p.m. Tuesday, February 6, 1945, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-FIFTH DAY AFTER RECESS  
AND THIRTY-SIXTH DAY

Bismarck, February 6, 1945

The Senate convened at 12:30 p.m. pursuant to recess taken, the President presiding.

The President announced that the Senate would be on the seventh order of business.

FIRST READING OF SENATE BILLS  
AND RESOLUTIONS

Senator Thatcher introduced:

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Thatcher introduced:

Senate Bill No. 166. A Bill for an Act Authorizing County Commissioners, at Their Option, to Impose a Tax of One Cent Per Gallon on All Motor Fuel Sold Within Their County for Use in Motor Vehicles Operated Upon the Highways; Providing for the Collection Thereof, and for the Use Thereof.

Was read the first time and referred to the Committee on Counties.

Senators Bridston and Shure introduced:

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senators Raschko, Bridston and Shure introduced:

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States, or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senator Olson of Barnes (by request) introduced:

Senate Bill No. 169. A Bill for an Act Providing for the Sale of Beer, Alcohol and Alcoholic Beverages by Wholesalers for Cash; Providing That No Right of Action Shall Exist to Collect Any Claim for Credit Extended Contrary Hereto; Providing for Acts Which Shall Be Considered Violations of This Regulation; Providing for Reporting of Checks Returned for Non-payment and Prohibiting Sales of Retailers Giving Such Checks and Providing a Penalty for Violation Hereof.

Was read the first time and referred to the Committee on Ways and Means.

The Temperance Committee (by request) introduced:

Senate Bill No. 170. A Bill for an Act for Prohibiting Minors Under Eighteen Years of Age from Loitering or Working in Any Place Where Intoxicating Liquors Are Sold, or Loitering on the Streets, Alleys, Parks, or Public Place of Any City, Village, or Town After Ten o'Clock P. M. Prescribing Punishment.

Was read the first time and referred to the Committee on Ways and Means.

Senators Lofthus and Dahlen introduced:

Senate Bill No. 171. A Bill for an Act Creating a Scientific Publication Fund; Making an Appropriation Therefor; Prescribing the Purpose of Such Fund; Creating a Scientific Publication Board for the Administration of Such Fund; Prescribing the Duties of Such Board; Prescribing Duties of State Printer With Reference to Publications Authorized by the Board; Providing Manner of Disbursement of Fund; and for Disposition of Proceeds of Sales of Such Publications.

Was read the first time and referred to the Committee on Education.

Senator Beaton (by request) introduced:

Senate Bill No. 172. A Bill for an Act Providing Additional Qualifications for Retailers of Beer and Alcohol and Alcoholic Beverages, Providing a New State License for Retailers of Alcohol and Alcoholic Beverages; Providing for Hours of Sale by Retailers of Beer and Alcohol and Alcoholic Beverages; Providing for Giving of Statements of Age by Purchasers of Beer, Alcohol and Alcoholic Beverages; Providing for Revocation or Suspension of the Licenses of Such Retailers by the Tax Commissioner; Providing for the Enforcement of the Provisions of Law Relating to the Sale of Beer and Alcohol and Alcoholic Beverages, and Appropriating Funds Therefor, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on State Affairs introduced:

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the

Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Rue (by request) introduced:

Senate Bill No. 174. A Bill for an Act Providing for the Refund of Motor Fuel Taxes Paid by Mistake on Motor Fuel Used for Exempt Purposes After July 1, 1939 and Before October 1, 1939, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Schrock and Rue introduced:

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Bridston and Flatt introduced:

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and all Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Foss, Blank, Raschko and Braun introduced:

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

Senators Day, O'Brien and Lynch introduced:

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943, Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed .

Was read the first time and referred to the Committee on Judiciary.

Senators Braun, Rue, Young and Kehoe introduced:

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senators Dahlen and Kehoe introduced:

Senate Bill No. 180. A Bill for an Act Imposing a Tax Upon Tax Exempt Motor Fuel Used for Industrial and Agricultural Purposes; Providing the Collection of Such Tax; Allocating the Tax to the Townships for the Benefit of Their Road and Bridge Funds; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Kehoe requested that Senate Bill No. 180 be not printed for the time being, which request was granted.

The Committee on Game and Fish introduced:

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Was read the first time and referred to the Committee on Game and Fish.

Senators Day, Brunsdale and Page introduced:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Raschko, Morgan and Foss introduced:

Senate Bill No. 183. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Was read the first time and referred to the Committee on Apportionment.

Senator Murry introduced:

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 15-4009 of the North Dakota Revised Code of 1943, Pertaining to Expenditure of the School Equalization Fund; Providing for Supplemental Aid to Schools on

the Basis of Need; Providing That Such Aid Shall Be Applied First to Payment of Teachers' Salaries and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

Senator Troxel (by request) introduced:

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Sub-division 1 of Section 11-2803 of the North Dakota Revised Code of 1943 Relating to Duties and Powers of County Commissioners in Establishing Parks.

Was read the first time and referred to the Committee on State Affairs.

Senators Streibel, Lynch and Olson of Mountrail introduced:

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Was read the first time and referred to the Committee on Highways.

The Committee on Appropriations introduced:

Senate Bill No. 187. A Bill for an Act Creating and Establishing a Reserve Building and Improvement Fund for Each Institution of Higher Learning Under the Supervision of the State Board of Higher Education; Providing for the Transfer by the State Auditor Into Such Fund all Unexpended General Appropriation Balances for Such Institutions of Higher Learning, Except Special Appropriation for Buildings; Authorizing the State Board of Higher Education to Transfer Into Said Fund Surplus Amounts of Interest and Income, and Institutional Collections; Authorizing Appropriation by the Legislature from This Fund for Improvement and Construction of Buildings for Said Institutions of Higher Learning.

Was read the first time and referred to the Committee on Appropriations.

Senators Thatcher and Young introduced:

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Was read the first time and referred to the Committee on Judiciary.

Senators Murry, Young, Flatt, Wahlund and Olson of Barnes introduced:

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 Revised Code 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senators Olson of Mountrail and Streibel introduced:

Senate Concurrent Resolution No. 6. A Concurrent Resolution for the Repeal of Article 51 of the Amendments to the Constitution of North Dakota Prohibiting Appointment of Any Member of the State Legislative Assembly to Any Civil Office or Employment of Any Nature Whatsoever by the Governor, or Any Officer or Employee of the State of North Dakota, During the Term for Which Said Member of the Legislative Assembly Shall Have Been Elected.

Was read the first time and referred to the Committee on State Affairs.

Senators Brunsdale and Streibel introduced:

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Was read the first time and referred to the Committee on State Affairs.

The Committee on State Affairs introduced:

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Appropriations introduced:

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Olson of Mountrail moved that Senate Bill No. 113 be permanently withdrawn, which motion prevailed.

Senator Young moved that Senate Bill No. 109, which was referred to the Committee on Appropriations be re-referred to the Committee on Temperance, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 1:40 p. m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senator Bridston introduced:

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Was read the first time and referred to the Committee on Insurance.

Senator Brant (by request) introduced:

Senate Bill No. 191. A Bill for an Act to Amend and Re-enact Sections 1, 2, 4, 6, 7, 10, 11, 12, 13, and 15 of Chapter 57-35 of North Dakota Revised Code of 1943, Pertaining to

Tax on Banks, Trust Companies, Building and Loan Associations, or Other Similar Local Mutual or Cooperative Thrift and Home Financing Institutions.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator Bridston introduced:

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Was read the first time and referred to the Committee on State Affairs.

Senator Braun introduced:

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Ways and Means.

Senators Raschko, Blank, Page and Brunsdale introduced:

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senators Rue and Day introduced:

Senate Bill No. 195. A Bill for an Act to Direct the State Department of Public Instruction to Direct the Taking of a Census of Physically Handicapped Children; Defining Physically Handicapped Children as Applied to This Act; Providing for Home and Hospital Instructors for Physically Handicapped Children; Authorizing the Use of State or Private Funds for Employment of Home and Hospital Instructors and Transportation of Physically Handicapped Children, and Providing for a State Advisory Board.

Was read the first time and referred to the Committee on Education.

Senators Brunsdale and Day introduced:

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Foreclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senator Morgan introduced:

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Was read the first time and referred to the Committee on Education.

The Committee on Game and Fish introduced:

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Was read the first time and referred to the Committee on Game and Fish.

Senator Braun introduced:

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Was read the first time and referred to the Committee on Ways and Means.

Senators Stucke and Day introduced:

Senate Bill No. 200. A Bill for an Act to Amend and Re-enact Section 16-0402 of the North Dakota Revised Code of 1943 Providing for Party Designations and Columns on Election Ballots.

Was read the first time and referred to the Committee on Elections.

Senator Rue introduced:

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Rue, Thatcher, Brunsdale and Nordhougen introduced:

Senate Concurrent Resolution No. 10. A Concurrent Resolution Providing for the Amendment of Section 173 of the Constitution of the State of North Dakota.

Was read the first time and referred to the Committee on Elections.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

### THIRTY-SIXTH DAY

Bismarck, February 6, 1945

The Senate convened at 2:00 p. m., the President presiding.  
Prayer by the Chalpain, Rev. O. O. Andvik of Mandan.

Roll call: All Senators present except Senators Bilden, Greiser and Nelson of McKenzie.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-fifth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert the following:

For an Act to amend and re-enact section 20-0305, of the North Dakota Revised Code of 1943, relating to the issuing of a license to persons who are recent arrivals, to persons in the Armed Forces of the United States on leave or furlough, and to persons in the employ of the United States Fish and Wild Life Service or the Conservation Department of any State or the Province of Canada entering the state for the purpose of advising or consulting with the North Dakota Game and Fish Department and providing for permission to hunt game birds without a license to residents of the State of North Dakota in the military service of the United States; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 Section . Amendment.) That section 20-0305 of  
 2 the North Dakota Revised Code of 1943 is hereby amended  
 3 and re-enacted to read as follows:  
 4 20-0305. Resident Licenses May be Issued at  
 5 Discretion of the Commissioner. Any resident license  
 6 prescribed by this title may be issued by and in the  
 7 discretion of the Commissioner to a person who has come  
 7a to  
 8 this State with a bona fide intention to become a resident  
 9 thereof, even though he has not been a resident of this  
 10 State for the required period of time immediately  
 10a preceding  
 11 the application for the license or to any person who is a  
 12 member of the armed forces of the United States, and who  
 13 is within the State on furlough, or leave, or on temporary  
 14 duty, or to any person who is in the employ of the United  
 15 States Fish and Wild Life Service or the Conservation  
 16 Department of any State or Province of Canada, and  
 16a who is  
 17 in the State for the purpose of advising or consulting  
 18 with the North Dakota Game and Fish Department. Any  
 19 resident of the State, while in the military service  
 20 of the United States, shall be permitted to hunt game  
 20a birds or  
 21 fish without a license therefor during the open season  
 22 during the time of war. No license shall be issued  
 23 under the provisions of this section unless a satisfactory  
 24 affidavit of some bona fide resident setting forth the  
 25 actual conditions accompanies the application.  
 26 Section 2. Emergency.) This Act is hereby  
 27 declared to be an emergency measure and shall be in  
 28 full force and effect from and after its passage and  
 29 approval.

And when so amended recommend the same do pass.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Lofthus moved that the reading of the Committee Report on Senate Bill No. 43 be dispensed with and that it be printed in full in the Journal, which motion prevailed.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 82, have had the same under consideration and recommend that the same be indefinitely postponed.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 101, have had the same under consideration and recommend that the same be amended as follows:

In the original bill, strike out lines 1 to 31, inclusive, and in line 32 strike out the words "NOW, THEREFORE and the comma.

Renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways, to whom was referred Senate Bill No. 104, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 111, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred Senate Bill No. 123, have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill, after the word Session, strike out the period, and insert a comma, and add the following language: "and declaring an emergency."

After line 6, add the following section to the bill:

**SECTION 2. EMERGENCY.** This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Number the new lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 124, have had the same under consideration and recommend that the same be amended as follows:

In the beginning of the original bill, strike out the word HOUSE and insert in lieu thereof the word "SENATE"

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the action on the Committee Report on Senate Bill No. 82 be reconsidered, which motion prevailed.

Senator Streibel moved that Senate Bill No. 82 be placed on the calendar, which motion, on a standing vote, was lost.

Senator Rue asked the unanimous consent of the Senate to withdraw Senate Bill No. 54, which request was granted.

Senator Reinke moved that the President appoint a committee of one to escort former Senator Carey, of Richland County, who had served in the Senate three terms and in the House of Representatives for eight sessions, to the rostrum, which motion prevailed.

The President appointed Senator Reinke as a committee of one to escort former Senator Carey to the rostrum.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 6, 1945

Mr. President: I have the honor to transmit:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 6, 1945

Mr. President: I have the honor to transmit:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Braun moved that the Senate now go into Joint Session, and at the conclusion of the Joint Session, the Senate do adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-SEVENTH DAY

Bismarck, February 7, 1945

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by the Chaplain, Rev. O. O. Andvik, of Mandan.

Roll call: All Senators present except Senator Bilden.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 35th day after recess and 36th day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 43.

Senate Bill No. 101.

Senate Bill No. 123.

Senate Bill No. 124.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

In line 375 strike out the word "avigation" and insert in lieu thereof the word "navigation".

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred Senate Bill No. 106, have had the same under consideration and recommend that the same do pass.

MARTIN OLSON, Chairman.

Senator Olson of McHenry moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that Senate Bill No. 6 be re-referred to the Committee on Appropriations, which motion, on a standing vote, prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhousen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojer	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Bilden

So the bill passed and the title was agreed to.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service, of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad

Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhogen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:  
Bilden

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Young

Absent and not voting:  
Bilden Work

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant requested that the Senate be on the eighth order of business, which request was granted.

Senator Brant moved that House Bill No. 38 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such

Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

Senator Young moved that House Bill No. 38 be re-referred to the Committee on Tax and Tax Laws, which motion lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Blank	Nelson, McKenzie	Semerad
Brant	Nordhogen	Streibel
Greiser	Oksendahl	Stucke
Kamrath	Olson, McHenry	Thatcher
Leno	Olson, Mountrail	Troxel
Lofthus	Peterson	Wahlund
Lynch	Reinke	Wog
Morgan	Schrock	Work
Murry		

Those voting in the negative were:

Beaton	Drew	O'Brien
Bond	Feton	Olson, Barnes
Braun	Flatt	Page
Bridston	Foss	Raschko
Brunsdale	Frojen	Rue
Conrad	Kehoe	Shure
Dahlen	Krenz	Young
Day	Nelson, Griggs- Steele	

Absent and not voting:

Bilden

So the bill lost for failure of a two-thirds majority.

Senator Rue moved that the vote by which House Bill No. 38 was lost be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, lost.

Senator Braun: "Mr. President: Twice at the polls the people of North Dakota registered their protest against this type of legislation, and if House Bill No. 38 should pass I am quite confident it will be referred. Then you will have helped no one. Senate Bills 98 and 99 adequately take care of all distressed school districts. Therefore I vote 'No'."

Senator Young: "Mr. President: I am not opposed to the 75% feature of this Bill. In fact, I would rather see 100%. If this Bill had any saving value to it—if this Bill passes I don't think anyone would argue that the taxes of every home and farm in North Dakota would be increased."

Senator Krenz: "Mr. President: All of our political subdivisions won't need this help and I don't believe we should give a whole family medicine when only one member is sick."

Senator Frojen: "Mr. President: I have been for this Bill until recently, but I vote 'No' for the same reason as stated by Senator Braun."

## SECOND READING OF SENATE BILLS

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath		Young

Absent and not voting:

Bilden	Feton	Nordhousen
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So the bill passed and the title was agreed to.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Blank	Krenz	Peterson
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher

Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Those voting in the negative were:

Day

Absent and not voting:

Bilden	Page	Semerad
Greiser	Raschko	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Leno	Peterson
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Work
Krenz	Olson, Mountrail	

Those voting in the negative were:

Braun	Flatt	Young
Day	Kehoe	

Absent and not voting:

Bilden	Page	Raschko
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Streibel

Absent and not voting:

Bilden Greiser

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Barnes
Blank	Kehoe	Raschko
Bond	Krenz	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Stucke
Brunsdale	Morgan	Thatcher
Conrad	Nelson, Griggs-	Troxel
Dahlen	Steele	Wahlund
Day	Nelson, McKenzie	Wog
Feton	Nordhougen	Work
Flatt	O'Brien	Young
Foss	Oksendahl	

Those voting in the negative were:

Kamrath	Olson, Mountrail	Semerad
Leno	Peterson	Shure
Olson, McHenry	Reinke	Streibel

Absent and not voting:

Bilden	Drew	Murry
Brant	Greiser	Page

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Young moved that Senate Bill No. 144 be laid over one legislative day, which motion prevailed.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Absent and not voting:

Bilden	Greiser	Murry
Brant		

So the bill passed and the title was agreed to.

#### FIRST READING OF HOUSE BILLS

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

Was read the first time and referred to the Committee on Public Lands.

Senator Shure moved that House Bill No. 37 be re-referred to the Committee on Corporations, which motion prevailed.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 40.  
House Concurrent Resolution "A."  
House Concurrent Resolution "E."

And the President signed the same in the presence of the Senate.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 7, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the President has signed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 7, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 7, 1945

Mr. President: I have the honor to return:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that Senate Bill No. 172 be re-referred to the Committee on Temperance, which motion prevailed.

Senator Flatt moved that the Journal show than B. J. Monaghan be listed as a committee clerk, and that C. T. Nelson be listed as a proofreader, from this day on, which motion prevailed.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-EIGHTH DAY

Bismarck, February 8, 1945

- The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. A. E. Smith of Bismarck. Roll call. All Senators present except Senator Bilden. The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-seventh day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 45.

Was delivered to the Governor for his approval at the hour of 2:00 p.m. February 8, 1945.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 56.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

In the third line at the top of the original bill, after the word fox insert a comma and the word bobcat.

In the title of the bill, after the word foxes, insert a comma and the word bobcats.

In line 3, strike out the figures \$25,000.00 and insert in lieu thereof the figures \$75,000.00.

In line 4, insert a comma after the word wolves.

Strike out all of lines 5 to 13, inclusive, and insert in lieu thereof the following: "coyotes, foxes and bobcats as provided in Chapter 20-13 of the North Dakota Revised Code of 1943; and magpies as provided in Chapter 20-14 of the North Dakota Revised Code of 1943.

And renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 23, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title of the original bill, strike out Sections 2711 to 2720, inclusive, and insert in lieu thereof "Chapter 36-02".

In line 2 strike out the word Veterinarians and the rest of the line, and all of line 3 except the word State.

In line 7, strike out the word Sections and strike out all of line 8, except the word "for" and insert in lieu thereof "Chapter 36-02 of the North Dakota Revised Code of 1943".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same be amended as follows:

Insert after the word "may" in line 6 of the printed bill the following:

"After consultation with the head of the State Department or institution affected." Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 95, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the word "if" in line 37 and all of line 38 of the printed bill and insert in lieu thereof the following:

"The court finds that the village should be dissolved, it shall dissolve the same." Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 128, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same be amended as follows:

On page 2 in line 12 after the word "return" strike the comma (,) and insert in lieu thereof a period (.) and strike the balance of line 12 and all of line 13.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the report on Senate Bill No. 157 be laid over until the bill has been printed, which motion prevailed.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Concurrent Resolution No. 5, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted.

Senator Streibel made a substitute motion that Senate Concurrent Resolution No. 5 be placed on the Calender, which motion, on a standing vote, prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 36, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred House Bill No. 45, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred House Bill No. 49, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 2.

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock, to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock, to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock, to whom was referred House Bill No. 76, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock, to whom was referred House Bill No. 77, have had

the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE BILLS

The Committee on Judiciary introduced:

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Judiciary introduced:

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Public Welfare introduced:

Senate Concurrent Resolution No. 11. Requesting Adjustment of Values to Include Pay for Character Building Work of Home Women.

Was read the first time and referred to the Committee on Public Welfare.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel

Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:  
Bilden

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Was read the second time.

Senator Day moved that Senate Bill No. 106 be amended as follows: In the title of the Bill, before the word "Special" the words "Authenticated Edition of the" be inserted; in line 2 of the printed Bill, before the word "Special" the words "Authenticated Edition of the" be inserted, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 106 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lynch	Reinke
Conrad	Morgan	Rue
Day	Murry	Semerad
Drew	Nordhougen	Shure
Feton	O'Brien	Stucke
Foss	Oksendahl	Troxel
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath		

Those voting in the negative were:

Braun	Lofthus	Schrock
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Thatcher
Dahlen	Nelson, McKenzie	Wahlund
Flatt	Olson, Barnes	Young

Absent and not voting:  
Bilden

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Drew moved that the vote by which Senate Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Greiser moved that the rules be suspended and that the President appoint a committee of one to escort Sgt. Gottlieb Neigum to the rostrum, which motion prevailed.

The President appointed Senator Greiser as such committee of one.

Sergeant Neigum: "I am very glad to be here. I used to dream about the good food you had here. Of course, we were told that the food situation back here was very bad. We didn't know as we had no contact with the outside world, but when I got back here I found that you have more to eat now than you should. Over there you don't get very much to eat, especially if you happen to be a prisoner of war, things are pretty bad. You have heard about the liberation of the Philippines, Manila, and the people are mighty glad to get out from the concentration camps. The food we had over there for the last three years was mostly rice, although I was glad to get that. In concentration camps you can see for yourself people aren't treated good at all—the Japs aren't really human. They believe if they die in battle they go to heaven.

"Don't think that this war is over yet. It's going to be a little longer. I was glad to find out that the people in North Dakota are finally getting a break. I know, my Dad has a farm and for eight or ten years he harvested nothing, but still the people back here should put more into this war—donate to the Red Cross, any organization like the Red Cross or the Salvation Army.

"One thing I was surprised to find out is that they have no blood bank in North Dakota—not even one blood bank in North Dakota. That is one very, very important thing we should have. Also, not because I am a soldier, but I have heard a lot of fellows brag about their home States. They claim their States are paying two and three dollars a day bonus. Of course, North Dakota is paying nothing. I am not speaking for myself but I am speaking for the boys. I am sure they would all be very happy if North Dakota would pay their soldiers a bonus, too, like some of the States do, and I think North Dakota can afford it.

"I am very glad that General MacArthur has finally gotten back like he said he would, and I think from now on things are going to be a little tougher than they were. Just because they have taken the Solomons, New Guinea and most of the Philippines is no sign the war is over, and I hope you people will put every effort into finishing this war. We are in this war and we might as well finish it—and when I say finish it I mean what I say."

Senator Schrock moved that the remarks of Sergeant Neigum be printed in the Journal, which motion prevailed.

Senator Drew requested that the Senate be on the eighth order of business, which request was granted.

Senator Drew requested that the printing of Senate Concurrent Resolution No. 11 be omitted for the present, which request was granted.

Senator Streibel moved that action on Senate Bill No. 144 be laid over until it is printed, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 8, 1945

Mr. President: I have the honor to transmit:

House Bill No. 13. A Bill for an Act Making an Appro-

priation for Services and Expenses for the Public Utility Division.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE BILLS

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of

1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

Was read the first time and referred to the Committee on Elections.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 8, 1945

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 8, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Which the Senate has passed and your favorable consideration is requested.

WALTER J. TROUT, Secretary.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## THIRTY-NINTH DAY

Bismarck, February 9, 1945

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by the Chaplain, Rev. A. E. Smith, of Bismarck.

Roll call: All Senators present except Senator Nelson of McKenzie.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-eighth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

President of the Senate,  
State of North Dakota,  
Bismarck, No. Dak.

Acknowledging with grateful appreciation your comforting expression of sympathy.

Mrs. Johanna Walker and family.

SENATE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 15.
- Senate Bill No. 23.
- Senate Bill No. 59.
- Senate Bill No. 95.
- Senate Bill No. 106.
- Senate Bill No. 130.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 90.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom

was referred Senate Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

In line 28 of the original bill strike out the word "or" and strike out all of line 29. Insert in lieu thereof the following:

"Anywhere within the limits of the territory within which the company is authorized to operate."

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the Committee Report on Senate Bill No. 85 be amended by adding the following: "In line 35 of the Bill strike out the word "twenty-five" and insert in lieu thereof the word "fifty".

Senator Morgan made a substitute motion that Senate Bill No. 85 be re-referred to the Committee on Insurance, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same be amended as follows:

In line four of the original bill strike out the words "Fifty dollars (\$50.00)" and insert in lieu thereof the words "One hundred dollars (\$100.00)".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same be amended as follows:

In line two of the title of the printed bill strike out the period following the figures "1943" and insert the following: "relating to fines and penalties".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 134, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 139, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 153, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 154, have had the same under consideration and recommend that the same be amended as follows:

In line 17 of the printed bill strike out the word "remit" and insert in lieu thereof the word "apportion".

Strike out lines 18, 19, and down to the word "county" in line 20 of the printed bill and insert in lieu thereof the following:

"Respective county treasurers of the counties in which is located the property base of such tax, each of whom shall deposit the sum so received by him to the general fund of his county."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Mines and Minerals to whom was referred Senate Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In line 33 strike out the figure "50%" and insert in lieu thereof the figure, "25%".

And when so amended recommend the same do pass.

AXEL OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 164, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 171, have had the same under consideration and recommend that the same do pass and that the bill be re-referred to the Committee on Appropriations.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the committee report on Senate Bill No. 195 be laid over until the printed bill is received, which motion prevailed.

Mr. President: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution No. 11, have had the same under consideration and recommend that the same be indefinitely postponed.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 47, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

Strike out the period after the words "County Officers" in the title of the engrossed bill and add the following:

"and declaring an emergency".

Strike out line 17 and all after line 17 in the engrossed bill.

Add to the bill the following:

"Section 2. Emergency.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

Senator Work reported for the Committee of Three to see about photographs of the Senators that they had secured the Risem Studio to make the photographs. This would include the photographs of each Senator of the Twenty-ninth Legislative Assembly, the President of the Senate, the Secretary of the Senate, the Assistant Secretary of the Senate, the Desk Reporter, the Bill Clerk and the Sergeant-at-Arms. Mr. Risem will make a charge of \$265.00 for the work.

Senator Rue moved that the report be accepted, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTIONS

Senators Stucke, Brant, Wog and Olson of Mountrail introduced:

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Was read the first time and referred to the Committee on Agriculture and Livestock.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 9, 1945

Mr. President: I have the honor to return:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 9, 1945

Mr. President: I have the honor to transmit:

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, Through a Misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate,

Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Brunsdale moved that Senate Concurrent Resolution No. 9, which is now in the Tax and Tax Laws Committee, be re-referred to the Appropriations Committee, which motion prevailed.

Senator Rue moved that the Senate do not concur in the House amendments to Senate Bill No. 38 and that a Conference Committee be appointed, which motion prevailed.

And the President appointed as such Committee Senators Rue, Streibel and Morgan.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond-	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Beaton	Lofthus	Page
Brant	Nelson, McKenzie	

So the bill passed and the title was agreed to.

The President called Senator Flatt to the chair.

Senate Bill No. 19. A Bill for an Act Making an Appro-

priation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	

Absent and not voting:

Beaton	Lofthus	Nelson, McKenzie
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So the bill passed and the title was agreed to.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the Compiled Laws of North Dakota for the Year 1913.

Was read the second time.

Senator Day moved that Senate Bill No. 23 be amended as follows: In the title of the engrossed Bill after the figures "36-02" strike out the comma and the rest of the title, and insert in lieu thereof the words "of the North Dakota Revised Code of 1943", which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 23 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Bond	Leno	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Streibel
Day	Nordhougen	Stucke

Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath		
Absent and not voting:		
Blank	Lofthus	Page
Brant	Nelson, McKenzie	Young
Foss		

So the bill passed and the title was agreed to.

The President resumed the chair.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Feton	Oksendahl
Bilden	Flatt	Olson, Barnes
Bond	Frojen	Raschko
Blank	Kehoe	Rue
Braun	Krenz	Schrock
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Murry	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	O'Brien	Young

Those voting in the negative were:

Greiser	Olson, McHenry	Semerad
Kamrath	Olson, Mountrail	Stucke
Leno	Peterson	Thatcher
Nordhougen	Reinke	Wahlund

Absent and not voting:

Brant	Lofthus	Page
Foss	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock

Braun	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Those voting in the negative were:

Beaton

Absent and not voting:

Bridston	Nelson, McKenzie	Raschko
Lofthus	Page	

So the bill passed and the title was agreed to.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the second time.

Senator Morgan moved that Senate Bill No. 128 be amended as follows: In line 6 of the printed Bill strike out "\$20,000" and insert the figures "\$30,000", and in line 9 strike out the figure "\$20,000" and insert "\$30,000", which motion, on a standing vote, prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 128 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion, on a standing vote, lost.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nordhougen	Stucke
Dahlen	O'Brien	Thatcher
Day	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog
Flatt	Olson, Mountrail	Work

Foss	Page	Young
Frojen		
Absent and not voting:		
Lofthus	Nelson, Griggs- Steele	Nelson, McKenzie

So the bill passed and the title was agreed to.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Flatt	Olson, McHenry
Bilden	Foss	Page
Bond	Frojen	Peterson
Brant	Greiser	Raschko
Braun	Kamrath	Reinke
Bridston	Kehoe	Shure
Brunsdale	Krenz	Troxel
Conrad	Leno	Wahlund
Dahlen	Lynch	Wog
Day	O'Brien	Work
Drew	Oksendahl	Young
Feton	Olson, Barnes	

Those voting in the negative were:

Blank	Olson, Mountrail	Streibel
Morgan	Rue	Stucke
Murry	Schrock	Thatcher
Nordhougen	Semerad	

Absent and not voting:

Lofthus	Nelson, Griggs- Steele	Nelson, McKenzie
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that action on Senate Bill No. 146 be deferred one legislative day, which motion prevailed.

Senator Streibel moved that action on Senate Concurrent Resolution No. 5 be deferred until Monday, February 12, which motion prevailed.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Was read the second time.

Senator Young moved that Senate Bill No. 144 be amended as follows: In the title, strike out everything after the word "State", in the third line, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 144 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Absent and not voting:

Lofthus Nelson, McKenzie

So the bill passed and the title was agreed to.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

## FIRST READING OF HOUSE BILLS

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, Through a Misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

#### SECOND READING OF HOUSE BILLS

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nordhounen	Thatcher

Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen	Page	

Absent and not voting:

Greiser	Lofthus	Nelson, McKenzie
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Frojen	Raschko
Bilden	Kamrath	Reinke
Blank	Kehoe	Rue
Bond	Krenz	Schrock
Brant	Leno	Semerad
Braun	Lynch	Shure
Bridston	Morgan	Streibel
Brunsdale	Murry	Stucke
Conrad	Nordhougen	Thatcher
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Feton	Olson, Mountrail	Work
Flatt	Page	Young
Foss	Peterson	

Those voting in the negative were:

Greiser	Olson, McHenry
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Absent and not voting:

Lofthus	Nelson, Griggs- Steele	Nelson, McKenzie
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So the bill passed and the title was agreed to.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Murry	Shure

Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	

Absent and not voting:

Bridston	Lofthus	Nelson, McKenzie
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So the bill passed and the title was agreed to.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Lofthus	Nelson, McKenzie	Troxel
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So the bill passed and the title was agreed to.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke

Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Those voting in the negative were:		
Beaton	Greiser	Thatcher

Absent and not voting:  
Lofthus Nelson, McKenzie

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:		
Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Those voting in the negative were:		
Beaton	Thatcher	

Absent and not voting:  
Bridston Lofthus Nelson, McKenzie

So the bill passed and the title was agreed to.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lynch	Rue
Braun	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Bridston	Nelson, McKenzie	Schrock
Lofthus		

So the bill passed and the title was agreed to.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Bridston	Nelson, McKenzie	Page
Lofthus	Nordhougen	Wog

So the bill passed and the title was agreed to.

Senator Bilden requested that the Senate be on the eighth order of business, which request was granted.

Senator Bilden moved that the absent Senators be excused, which motion prevailed.

Senator Thatcher requested that Senate Bill No. 166 be withdrawn, which request was granted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 90.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, February 8, 1945

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following Senate Bill:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

And the same has been filed with the Secretary of State, today.

Very truly yours,

FRED G. AANDAHL,  
Governor of North Dakota.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FORTIETH DAY

Bismarck, February 10, 1945

The Senate convened at 2:00 p. m., the President Pro Tem presiding.

Prayer by the Chaplain, Rev. A. E. Smith of Bismarck.

Roll call: All Senators present except Senators Beaton, Greiser, Lofthus, Raschko, Schrock, Semerad and Stucke.

PETITIONS AND COMMUNICATIONS

Senator Streibel moved that the petition, directed to Senator Lynch, signed by fifty-seven petitioners, be referred to the Committee on Public Welfare, which motion prevailed.

REPORTS OF STANDING COMMITTEES

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-ninth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 23.
- Senate Bill No. 120.
- Senate Bill No. 128.
- Senate Bill No. 132.
- Senate Bill No. 144.
- Senate Bill No. 154.
- Senate Bill No. 161.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 55, have had the same under

consideration and recommend that the same be amended as follows:

In both the title and the body of the bill wherever the word Commission appears, strike out the word Commission and insert in lieu thereof the word Committee.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill, strike out the period after the word "therewith" and insert a comma and add the following: "and declaring an emergency."

Add to the end of the printed bill the following:

"Section 3. Emergency.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same be amended as follows:

In line 7, after the word "explosion" insert "except the explosion of steam boilers and flywheels."

In line 8, after the word "smoke", insert the following: "to the property of the insured".

At the end of the bill, add a new subsection 3, to read as follows:

"No such company shall write insurance, insuring against loss by reason of bodily injury to a person or against legal liability of the insured arising out of the death or injury of any person, or against legal liability of the insured arising out of the loss or destruction of, or damage to, the property of any other person."

Number the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 28 of the original bill add the following: "other farmer owned property".

In line 35 of the original bill strike out the words "twenty-five" and insert the word "fifty" in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 119, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 125, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 157, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 201, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 6, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 7, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the word "best" strike out the word "sub-served" and insert in lieu thereof the word "served".

In line 18 after the word "sent" insert the following: by the Secretary of State.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution No. 9, have had the same under consideration and recommend that the same be amended as follows:

In line 12, before the word "two" insert the words "not to exceed".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same do pass.

MARTIN OLSON, Chairman.

Senator Olson of Mountrail moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on Senate Bill No. 38 with a like committee from the Senate, Reps. Bolmeier, Haugland and Levin.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to transmit:

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in

Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Bismarck, February 10, 1945  
House of Representatives

Mr. President: I have the honor to transmit:

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate

of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 10, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senators Streibel and Page introduced:

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senator O'Brien moved that Senate Bill No. 70 be withdrawn, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senator Morgan moved that Senate Bill No. 94 be amended as follows:

In line 6 of the original bill after the word "county" insert the following: "Upon petition of 5% of the voters participating in the last general election representing 7% of the voting precincts of the county".

In line 7 of the original bill after the word "inhabitants" strike out the word "may" and in insert lieu thereof the word "shall", which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 94 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 6; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Kamrath	Olson, Barnes
Blank	Krenz	Olson, Mountrail
Brant	Leno	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Streibel
Dahlen	Nelson, Griggs-	Thatcher
Day	Steele	Troxel
Drew	Nelson, McKenzie	Wahlund
Feton	Nordhougen	Wog
Flatt	O'Brien	Work
Frojen	Oksendahl	Young

Those voting in the negative were:

Braun	Olson, McHenry	Kehoe
Conrad	Page	Shure

Absent and not voting:

Beaton	Lofthus	Schrock
Bond	Murry	Semerad
Foss	Peterson	Stucke
Greiser	Raschko	

So the bill passed and the title was agreed to.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Bilden	Frojen	Olson, McHenry
Blank	Kamrath	Olson, Mountrail
Brant	Kehoe	Page
Braun	Krenz	Peterson
Bridston	Leno	Reinke
Brunsdale	Lynch	Rue
Conrad	Morgan	Streibel
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work

## Absent and not voting:

Beaton	Murry	Semerad
Bond	Nelson, Griggs-	Shure
Foss	Steele	Stucke
Greiser	Raschko	Young
Lofthus	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the second time.

Senator Morgan moved that action on Senate Bill No. 128 be laid over one legislative day, which motion prevailed.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the Revised Code of 1943 Relating to Fines and Penalties.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Leno	Page
Brant	Lynch	Peterson
Bridston	Morgan	Reinke
Brunsdale	Murry	Rue
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Work
Kehoe	Olson, Mountrail	Young
Krenz		

Those voting in the negative were:

Day

Absent and not voting:

Beaton	Foss	Raschko
Blank	Greiser	Schrock
Bond	Lofthus	Semerad
Braun	Nordhogen	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Kehoe	Page
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Blank	Krenz	Peterson
Brant	Leno	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Beaton	Greiser	Raschko
Bond	Lofthus	Schrock
Braun	Murry	Semerad
Foss	Nordhougen	Stucke

So the bill passed and the title was agreed to.

Senator Day moved that Senate Bill No. 139 be laid over one legislative day, which motion prevailed.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Krenz	Peterson
Brant	Leno	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Beaton	Greiser	Raschko
Bond	Lofthus	Schrock
Braun	Murry	Semerad
Foss	Nordhougen	Stucke

So the bill passed and the title was agreed to.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the action by which Senate Bill No. 59 was passed be reconsidered, which motion prevailed.

Senator Day moved that further action on Senate Bill No. 59 be deferred one legislative day, which motion prevailed.

Senator Morgan moved that Senate Bill No. 146 be laid over one legislative day, which motion prevailed.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Brant	Krenz	Reinke
Bridston	Leno	Rue
Brunsdale	Lynch	Shure
Conrad	Morgan	Streibel
Dahlen	Nelson, McKenzie	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Absent and not voting:

Beaton	Lofthus	Raschko
Bond	Murry	Schrock
Braun	Nelson, Griggs-	Semerad
Foss	Steele	Stucke
Greiser	Nordhougen	

So the bill passed and the title was agreed to.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Kehoe	Olson, McHenry
Blank	Krenz	Olson, Mountrail
Brant	Leno	Page
Bridston	Lynch	Peterson
Brunsdale	Morgan	Reinke
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Frojen	Oksendahl	Work
Kamrath	Olson, Barnes	Young

## Absent and not voting:

Beaton	Greiser	Schrock
Bond	Lofthus	Semerad
Braun	Raschko	Stucke
Foss	Rue	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

## FIRST READING OF HOUSE BILLS

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Was read the first time and referred to the Committee on Drainage and Irrigation.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States

Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Was read the first time and referred to the Committee on Counties.

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

Was read the first time and referred to the Committee on Counties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943; Relating to Persons Entitled to Letters of Administration.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

Was read the first time and referred to the Committee on Judiciary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Page
Brant	Krenz	Peterson
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Thatcher
Dahlen	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Frojen	Olson, Barnes	Young

Those voting in the negative were:

Olson, Mountrail	Streibel
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Absent and not voting:

Beaton	Greiser	Raschko
Bond	Leno	Schrock
Day	Lofthus	Semerad
Foss	Murry	Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that the vote by which House Bill No. 47 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Blank	Krenz	Peterson
Brant	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Thatcher
Dahlen	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Beaton	Greiser	Raschko
Bond	Leno	Schrock
Day	Lofthus	Semerad
Foss	Nordhougen	Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m. Monday, February 12, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FORTIETH DAY AFTER RECESS AND  
FORTY-SECOND DAY

Bismarck, February 12, 1945

The Senate convened at 1:00 p.m. pursuant to recess taken, the President presiding.

The President announced the Senate would be on the seventh order of business.

FIRST READING OF SENATE BILLS

The Delayed Bills Committee introduced:

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Was read the first time and referred to the Committee on Highways.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that Helen Edwards, who has been a Senate stenographer and who has asked to be excused, be released, which motion prevailed.

Senator Bilden moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SECOND DAY

Bismarck, February 12, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Laten E. Teare of Bismarck.

Roll call. All Senators present except Senators Blank and Semerad.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fortieth day and recommend that the same be corrected as follows:

On page 280, in line 21 from the bottom change the word "House" to "Senate";

On page 283, after the line which reads "First Reading of Senate Bills" insert the following:

"Senators Streibel and Page introduced:"

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

#### PETITIONS AND COMMUNICATIONS

A petition submitted to Senator Conrad, signed by ninety-two petitioners, opposing any change in the present tax exempt gasoline law was read, and referred to the Committee on Tax and Tax Laws.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

Senate Bill No. 55.

Senate Bill No. 71.

Senate Bill No. 74.

Senate Bill No. 85.

Senate Bill No. 94.

Senate Concurrent Resolution No. 7.

Senate Concurrent Resolution No. 9.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

In line 10 of the original bill, strike out the figures \$1,178,437.00 and insert in lieu thereof the figures \$1,091,647.00.

In line 11, strike out the figures 1,006,090.00 and insert in lieu thereof the figures 931,890.00.

In line 13, strike out the figures 67,164.00 and insert in lieu thereof the figures 77,164.00.

In line 14, strike out the figures 84,198.00 and insert in lieu thereof the figures 75,998.00.

In line 15, strike out the figures 178,435.00 and insert in lieu thereof the figures 169,035.00.

In line 16, strike out the figures 193,533.00 and insert in lieu thereof the figures 168,533.00.

In line 17, strike out the figures 257,106.00 and insert in lieu thereof the figures 237,106.00.

In line 18, strike out the figures 230,156.00 and insert in lieu thereof the figures 226,831.00.

In line 19, strike out the figures 316,895.00 and insert in lieu thereof the figures 300,395.00.

In line 20, strike out the figures 398,744.00 and insert in lieu thereof the figures 373,744.00.

In line 24, strike out the figures \$275,000.00 and insert in lieu thereof the figures \$335,000.00.

In line 25, strike out the figures 400,000.00 and insert in lieu thereof the figures 450,000.00.

In line 26, strike out the figures 22,000.00 and insert in lieu thereof the figures 27,000.00.

In line 27, strike out the figures 50,000.00 and insert in lieu thereof the figures 55,000.00.

In line 28, strike out the figures 85,000.00 and insert in lieu thereof the figures 145,000.00.

In line 29, strike out the figures 29,000.00 and insert in lieu thereof the figures 39,000.00.

In line 31, strike out the figures 85,000.00 and insert in lieu thereof the figures 145,000.00.

In line 32, strike out the figures 95,000.00 and insert in lieu thereof the figures 127,000.00.

In line 50, strike out the figures 113,227.00 and insert in lieu thereof the figures 104,227.00.

In line 52, strike out the figures 20,000.00 and insert in lieu thereof the figures 18,400.00.

In line 54, strike out the figures 252,712.00 and insert in lieu thereof the figures 232,512.00.

In line 55, strike out the figures 54,920.00 and insert in lieu thereof the figures 50,520.00.

In line 56, strike out the figures 135,407.00 and insert in lieu thereof the figures 124,607.00.

In line 57, strike out the figures 35,173.00 and insert in lieu thereof the figures 32,373.00.

In line 58, strike out the figures 66,189.00 and insert in lieu thereof the figures 60,889.00.

In line 59, strike out the figures 21,848.00 and insert in lieu thereof the figures 20,048.00.

In line 60, strike out the figures 20,590.00 and insert in lieu thereof the figures 20,000.00.

In line 61, strike out the figures 29,009.00 and insert in lieu thereof the figures 26,709.00.

In line 62, strike out the figures 749,075.00 and insert in lieu thereof the figures 690,285.00.

In line 63, strike out the figures 31,981.00 and insert in lieu thereof the figures 33,981.00.

In line 66, strike out the figures 67,308.00 and insert in lieu thereof the figures 77,308.00.

In line 68, strike out the figures 222,000.00 and insert in lieu thereof the figures 237,000.00.

After line 71, add the following new line:

“9. School of Mines, Special.....5,000.00”

In line 72, strike out the figures 1,203,437.00 and insert in lieu thereof the figures 1,176,647.00.

After line 73, add the following new line:

“Military Programs .....60,000.00”

In line 74, strike out the figures 928,437.00 and insert in lieu thereof the figures 841,647.00.

In line 75 after the word Buildings and the colon, add the

following: (To be constructed only on authorization of the North Dakota Budget Board)

In line 76, strike out the word Administration and insert the word "Science."

In line 77, strike out the figures \$1,178,437.00 and insert in lieu thereof the figures \$1,091,647.00.

In line 79, strike out the figures 601,900.00 and insert in lieu thereof the figures 571,900.00.

In line 80, strike out the figures 20,000.00 and insert in lieu thereof the figures 29,000.00.

In line 84, strike out the figures 10,500.00 and insert in lieu thereof the figures 14,000.00.

In line 88, strike out the figures 38,700.00 and insert in lieu thereof the figures 32,000.00.

In line 89, strike out the figures 1,141,090.00 and insert in lieu thereof the figures 1,116,890.00.

After line 90, add the following new line:

"Military Programs .....50,000.00"

In line 91, strike out the figures 741,090.00 and insert in lieu thereof the figures 666,890.00.

In line 92, after the word Buildings and the colon, add the following new line:

(To be constructed only on authorization of the North Dakota Budget Board)

In line 95, strike out the figures \$1,006,090.00 and insert in lieu thereof the figures \$931,890.00.

In line 117, strike out the figures 10,414.00 and insert in lieu thereof the figures 20,414.00.

In line 125, strike out the figures 67,164.00 and insert in lieu thereof the figures 77,164.00.

In line 127, strike out the figures 35,930.00 and insert in lieu thereof the figures 34,330.00.

In line 134, strike out the figures 35,015.00 and insert in lieu thereof the figures 33,415.00.

In line 138, strike out the figures 106,198.00 and insert in lieu thereof the figures 102,998.00.

In line 139, strike out the figures 22,000.00 and insert in lieu thereof the figures 27,000.00.

In line 140, strike out the figures 84,198.00 and insert in lieu thereof the figures 75,998.00.

In line 142, strike out the word Education and insert the words "Educational Service", and in the same line strike out the figures 91,872.00 and insert in lieu thereof the figures 85,872.00.

In line 143, strike out the figures 4,335.00 and insert in lieu thereof the figures 4,835.00.

In line 146, strike out the figures 10,969.00 and insert in lieu thereof the figures 11,969.00.

In line 153, strike out the figures 228,435.00 and insert in lieu thereof the figures 224,035.00.

In line 154, strike out the figures 50,000.00 and insert in lieu thereof the figures 55,000.00.

In line 155, strike out the figures 178,435.00 and insert in lieu thereof the figures 169,035.00.

In line 157, strike out the figures 170,000.00 and insert in lieu thereof the figures 160,000.00.

In line 163, strike out the figures 54,479.00 and insert in lieu thereof the figures 59,479.00.

After line 166, add the following new line:

"9. Remodel and Equip Barracks and Buildings..40,000.00"

In line 167, strike out the figures 278,533.00 and insert in lieu thereof the figures 313,533.00.

After line 168, add the following new line:

"Military Programs .....60,000.00"

In line 169, strike out the figures 193,533.00 and insert in lieu thereof the figures 168,533.00.

In line 171, strike out the figures 169,325.00 and insert in lieu thereof the figures 152,325.00.

In line 172, strike out the figures 8,870.00 and insert in lieu thereof the figures 9,870.00.

In line 175, strike out the figures 17,733.00 and insert in lieu thereof the figures 18,733.00.

In line 177, strike out the figures 58,250.00 and insert in lieu thereof the figures 63,250.00.

In line 181, strike out the figures 286,106.00 and insert in lieu thereof the figures 276,106.00.

After line 182, add the following new line:

"Military Program .....10,000.00"

In line 183, strike out the figures 257,106.00 and insert in lieu thereof the figures 237,106.00.

In line 185, strike out the figures 125,530.00 and insert in lieu thereof the figures 127,030.00.

In line 189, strike out the figures 16,775.00 and insert in lieu thereof the figures 17,775.00.

In line 191, strike out the figures 54,371.00 and insert in lieu thereof the figures 55,871.00.

Strike out all of line 192.

In line 195, strike out the figures 5,000.00 and insert in lieu thereof the figures 4,175.00.

In line 196, strike out the figures 255,156.00 and insert in lieu thereof the figures 251,831.00.

In line 198, strike out the figures 195,156.00 and insert in lieu thereof the figures 191,831.00.

In line 201, strike out the figures 230,156.00 and insert in lieu thereof the figures 226,831.00.

In line 203, strike out the figures 234,724.00 and insert in lieu thereof the figures 259,724.00.

In line 204, strike out the figures 13,209.00 and insert in lieu thereof the figures 18,209.00.

In line 207, strike out the figures 17,164.00 and insert in lieu thereof the figures 20,664.00.

In line 209, strike out the figures 80,000.00 and insert in lieu thereof the figures 90,000.00.

In line 213, strike out the figures 401,895.00 and insert in lieu thereof the figures 445,895.00.

After line 214, add the following new line:

"Military Programs .....60,000.00"

In line 215, strike out the figures 316,895.00 and insert in lieu thereof the figures 300,395.00.

In line 217, strike out the figures 270,393.00 and insert in lieu thereof the figures 243,393.00.

In line 218, strike out the figures 12,957.00 and insert in lieu thereof the figures 13,957.00.

In line 221, strike out the figures 24,635.00 and insert in lieu thereof the figures 25,635.00.

After line 226, add the following new line:

"9. Replacement Power Plant .....32,000.00"

In line 227, strike out the figures 493,744.00 and insert in lieu thereof the figures 500,744.00.

After line 228, add the following new line:

"Military Program .....32,000.00"

In line 229, strike out the figures 398,744.00 and insert in lieu thereof the figures 373,744.00.

Renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the reading of the Committee Report on Senate Bill No. 1 be dispensed with, that it be printed in full in the Journal, and laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 64, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and in lieu thereof insert the following:

FOR AN ACT to Provide for the Voluntary Licensing and Regulation of Practical Nurses and Providing for Training of Practical Nurses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. LICENSING OF PRACTICAL

1a NURSES.) Any

2 person engaged in the business of non-professional

3 nursing, including any non-professional nursing

3a attendant,

4 auxiliary worker, subsidiary worker, vocational nurse

5 or any other person who cares for the sick for hire and

6 who shall qualify under the provisions of this act, may

7 apply for a license and be registered as such practical

8 nurse as herein provided.

9 SECTION 2. QUALIFICATIONS OF APPLI-

9a CANTS.) Every

10 person who desires to obtain a license as a practical

11 nurse, shall submit a written application for such

12 license to the North Dakota State Board of Nurse

12a Examiners

13 on forms to be provided by such board showing that the

14 applicant possesses the following qualifications:

15 (a) Has reached the age of eighteen years;

16 (b) Is of good moral character;

17 (c) Is in good physical and mental health.  
18 Evidence as to the applicant's health shall be made by  
19 submitting an affidavit of a licensed physician to the  
20 board;

21 (d) Has at least an eighth grade education, or  
22 its equivalent, and such other preliminary qualifications  
23 as the board may from time to time by rule and  
23a regulation  
24 prescribe;

25 (e) Has successfully completed an accredited  
26 course for the training of licensed practical nurses,  
27 or has in the opinion of the board, the equivalent of  
28 such training in actual experience;

29 (f) That applicant is a citizen of the United  
30 States, or has declared his or her intention of becoming  
31 such citizen;

32 (g) Is a resident of the State of North Dakota.

### 33 SECTION 3. EXAMINATION AND LICENSING 33a OF PRACTICAL

34 NURSES.) The State Board of Nurse Examiners shall  
34a pre-  
35 scribe rules and regulations not inconsistent with the  
36 provisions of this act for the examination, licensing  
37 and regulation of persons desiring to become licensed  
38 practical nurses. Written examinations shall be held  
39 at the option of the State Board at least once in each  
40 year, if there be any person whose application is  
40a pending,

41 at a time and place to be designated by the State Board.  
42 Each written examination may be supplemented by an  
42a oral

43 or practical examination. Upon successfully passing  
44 the examination, as prepared by the board, the Board of  
45 Nurse Examiners shall issue to such applicant a license  
46 to practice as a licensed practical nurse.

### 47 SECTION 4. LICENSES MAY BE ISSUED 47a WITHOUT

48 EXAMINATION.) The Board of Nurse Examiners  
48a may issue  
49 a license to practice as a licensed practical nurse  
50 without examination to any applicant upon the payment  
51 of the license fee hereinafter required, when such  
52 applicant has been duly licensed as a practical nurse  
53 under the laws of another state, territory or foreign  
54 country, if, in the opinion of the members of the board,  
55 the applicant has qualifications which are at least  
56 equivalent to the qualifications required by this act.

### 57 SECTION 5. FEES; DISPOSITION OF.) Any 57a person

58 making application for a license to practice as a  
58a licensed

59 practical nurse under the provisions of this act, shall  
60 submit with such application a fee of Five (\$5) Dollars  
61 to the Board of Nurse Examiners. All fees shall be held  
62 subject to the order of the board to be used only for  
63 the purpose of meeting necessary expenses incurred in  
64 the performance of the duties imposed upon the board by  
65 this act and in carrying out the provisions of this act.  
66 The Board of Nurse Examiners shall be authorized to use

67 a portion of the funds derived from the fees received  
68 under the provisions of this act for the purpose of pro-  
69 moting standards of non-professional nursing care in this  
70 State.

71 SECTION 6. RENEWAL OF LICENSE.) The  
71a license

72 issued under Sections 3 and 4 of this act may be renewed  
73 annually and a fee of one (\$1) Dollar shall be submitted  
74 with every application for renewal. Before January 1st  
75 of each year, the Secretary of the Board of Nurse  
76 Examiners shall mail to all licensed practical nurses,  
77 an application form for renewal of license. Such form  
78 shall be completed and returned to the Secretary of the  
79 Board of Nurse Examiners, together with the renewal fee  
80 of One (\$1) Dollar, on or before February 15th  
80a following.

81 Any person who fails to renew her license on or before  
82 February 15th of any year, shall pay an additional fee  
83 of One (\$1) Dollar for the privilege of renewing such  
84 license after such date.

85 SECTION 7. BOARD MAY REVOKE LICENSE.)  
85a The Board

86 of Nurse Examiners shall have the power to revoke any  
87 license issued by such board under the provisions of this  
88 act for gross incompetency, dishonorable conduct or  
89 fraud or any other act which shall constitute just cause  
90 for such revocation. Such revocation shall be by a  
91 majority vote of the entire board after hearing had on  
92 specific charges filed against such licensee, which  
93 charges shall be made in writing under oath and filed  
94 with the Secretary. A certified copy of charges and  
95 notice of hearing before the Board of Nurse Examiners  
96 shall be served on such licensee whose license is sought  
97 to be revoked not less than twenty or more than thirty  
98 days prior to the hearing on such charges. The Board  
99 of Nurse Examiners shall be authorized to furnish to  
100 the Board of Nurse Examiners of any other State, upon  
101 written request, a list of names and addresses of persons  
102 whose licenses have been revoked for cause.

103 SECTION 8. TITLE USED BY LICENSED

103a PRACTICAL

104 NURSE.) Any person to whom a license shall be issued  
105 by the Board of Nurse Examiners under the provisions of  
106 this act, shall have the right to use the title "Licensed  
107 Practical Nurse" and the abbreviation "L. P. N." The  
108 board shall keep a register in which shall be entered  
109 the names of all persons to whom licenses have been  
110 issued under this act and said register shall at all  
111 times be subject to inspection by the public.

112 SECTION 9. ACCREDITED INSTRUCTION FOR  
112a CONDUCTING

113 TRAINING COURSES FOR PRACTIAL NURSES.)  
113a Any institution

114 which shall, under rules and regulations to be adopted  
115 by the Board of Nurse Examiners, be qualified to conduct  
116 a course for training practical nurses, shall apply to  
117 the Board of Nurse Examiners and submit an application  
118 giving evidence that it is prepared to give a course of  
119 not less than nine months nor more than twelve months  
120 for training practical nurses. Such course shall include

121 instruction in the care for convalescents; in the care  
 122 of chronic invalids; in the care of the aged; in the care  
 123 of convalescent maternity patients and babies; in the  
 124 care of patients not needing highly technical nursing;  
 125 in training such student to serve as nursing attendant  
 126 in hospitals; in the assistance with housework in the  
 127 home and in the care of the well child. Such  
 127a application  
 128 shall further show that such institution is able to meet  
 129 standards prescribed by this statute and by the Board of  
 130 Nurse Examiners for the training of practical nurses. A  
 131 fee of Twenty-five (\$25) Dollars shall accompany such  
 132 application. Upon receipt of such application and fee,  
 133 the Board of Nurse Examiners shall cause a survey of the  
 134 institution making such application to be made by a  
 135 qualified representative of such Board. Such representa-  
 136 tive shall submit a written report of his findings to  
 137 the Board. If, in the opinion of the members of the  
 138 Board of Nurse Examiners, the requirements for an  
 139 accredited course for training practical nurses are met  
 140 by such institution, it shall approve the institution  
 141 as qualified to give an accredited course for training  
 142 of practical nurses. It shall further be the duty of the  
 143 Board from time to time to survey all courses for the  
 144 training of practical nurses offered within the State of  
 145 North Dakota. Written reports of such survey shall be  
 146 submitted to the Board of Nurse Examiners. If the Board  
 147 shall determine, as a result of such survey, that any  
 148 institution heretofore accredited as an institution for  
 149 training of practical nurses, is not maintaining the  
 150 standards required by law and by the rules and  
 150a regulations  
 151 of the Board, notice thereof, shall immediately be given  
 152 to such institution. If requirements of the State Board  
 153 are not complied with within a reasonable time set by  
 154 the Board in such notice, such institution shall be  
 155 removed from the list of accredited institutions author-  
 156 ized to offer courses for training of practical nurses  
 157 within this State.

And when so amended recommend that it be placed on the calendar without further recommendation.

G. F. DREW, Acting Chairman.

Senator Stucke moved that the reading of the Committee Report on Senate Bill No. 64 be dispensed with, that it be printed in full in the Journal, and laid over one legislative day, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance, to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" in the printed bill and add the following:

FOR AN ACT invalidating any provision in any accident or sickness insurance policy denying the insured the right, in case of accident or sickness, to consult or employ the doctor, or to enter the hospital or sanitarium of his choice; and requiring the insurance company issuing the policy to

recognize a proof of claim certified by such doctor or hospital.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1.) Any provision in any accident or  
2 sickness insurance policy issued by any insurance  
3 company licensed to do business in the State of North  
4 Dakota, denying the insured, in case of accident or  
5 sickness, to consult or employ any doctor licensed to  
6 practice in this state he may choose, or to enter any  
7 hospital or sanitarium organized and operating under the  
8 laws of this state he may select shall be void; and  
9 any such insurance company is hereby required to  
10 recognize any proof of claim duly certified by such  
11 doctor or hospital or sanitarium notwithstanding any  
12 provision contained in such policy.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "one year" in line three of the printed bill and insert in lieu thereof the words "six years".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 165, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs, to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 178, have had the same under consideration and recommend that the same be amended as follows:

In line 14 of the printed bill after the word "interest" insert a comma and strike out the rest of the line, all of line 15 and all of line 16 up to the word "plus".

In line 17 strike out the words "together with", strike out all of line 18 and all of line 19 and the word "court" and the period in line 20.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs, to whom was referred Senate Bill No. 185, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 52, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 90.

Was delivered to the Governor for his approval at the hour of 2:00 P. M., February 12, 1945.

W. R. BOND, Chairman.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved the nomination of Martha Albrecht as Enrolling and Engrossing Clerk.

ROLL CALL

The question being on the nomination of Martha Albrecht as Enrolling and Engrossing Clerk, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko

Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Blank	Semerad
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So Martha Albrecht was declared elected, and the Lieutenant Governor administered the oath of office to said Enrolling and Engrossing Clerk-elect.

Senator Day moved that Senate Bill No. 59 be placed at the head of the calendar, which motion prevailed.

Senator Streibel requested that Senate Bill No. 143 be withdrawn, which request was granted.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the second time.

Senator Day moved that Senate Bill No. 59 be amended as follows: In line 22 of the printed Bill, after the word "therefor", strike the comma, insert a period, and strike out the rest of that line, strike all of line 23, and renumber the lines, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 59 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Foss	O'Brien
Bond	Flatt	Oksendahl
Brant	Frojen	Olson, Barnes
Braun	Kehoe	Page
Bridston	Krenz	Raschko
Brunsdale	Lofthus	Rue
Dahlen	Morgan	Shure
Day	Murry	Wog
Drew	Nelson, Griggs-	Work
Feton	Steele	Young

Those voting in the negative were:

Bilden	Nordhougen	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Thatcher
Leno	Peterson	Troxel

Lynch Reinke Wahlund  
 Nelson, McKenzie Schrock

Absent and not voting:  
 Blank Conrad Semerad

So the bill passed and the title was agreed to.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aerouautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilder	Kehoe	Raschko
Bond	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young

Those voting in the negative were:

Greiser Shure

Absent and not voting:

Blank Olson, Mountrail Semerad

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke

Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young
Absent and not voting:		
Blank	Semerad	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Thatcher
Day	Steele	Troxel
Drew	Nelson, McKenzie	Wog
Feton	Nordhougen	Young
Flatt	O'Brien	Schrock
Foss	Oksendahl	Stucke
Frojen	Olson, Barnes	Wahlund
Greiser	Olson, McHenry	Work

Absent and not voting:

Blank Semerad

So the bill passed and the title was agreed to.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

#### ROLL CALL

Those voting in the affirmative were:

Bilden	Kehoe	Page
Bond	Krenz	Peterson

Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Those voting in the negative were:		
Beaton	Kamrath	Olson, McHenry
Greiser	Murry	Wahlund

Absent and not voting:

Blank Semerad

So the bill passed and the title was agreed to.

Senator Kehoe requested that the Senate be on the eighth order of business, which request was granted.

Senator Kehoe moved that a committee of one be appointed to escort to the rostrum former Senator S. J. Atkins of Cando, who was a member of the Senate for twelve years, which motion prevailed.

The President appointed Senator Kehoe as a committee of one to escort former Senator Atkins to the rostrum.

Former Senator Atkins: This probably is somewhat of a surprise to you as it is to me because I certainly had no intention of coming in here and interrupting the procedure of the North Dakota Senate in the middle of the afternoon. If there is one thing I have learned in the past few years it is if a person talks at all to be sure he doesn't talk too much. In addressing you with these few remarks I am going to be sure I stick within that axiom this afternoon.

"I just want to say to you members of this Senate that I appreciate the fact of your having called me to the rostrum for just a moment. It is a real pleasure. And now, thanking you for your courtesy and consideration, I am going to sit down. Thank you."

Senator Kehoe moved that the remarks of Senator Atkins be printed in the Journal, which motion prevailed.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Flatt	Olson, Barnes
Bilden	Foss	Page
Bond	Frojen	Raschko
Brant	Kehoe	Rue

Braun	Krenz	Schrock
Bridston	Lofthus	Shure
Brunsdale	Lynch	Stucke
Conrad	Morgan	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wog
Drew	O'Brien	Work
Feton	Oksendahl	Young

Those voting in the negative were:

Greiser	Nordhougen	Reinke
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Wahlund
Nelson, McKenzie	Peterson	

Absent and not voting:

Blank	Murry	Semerad
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So the bill passed and the title was agreed to.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Bond	Flatt	Olson, Barnes
Brant	Foss	Page
Braun	Frojen	Raschko
Bridston	Kehoe	Rue
Brunsdale	Krenz	Shure
Conrad	Morgan	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	O'Brien	Young
Feton	Oksendahl	

Those voting in the negative were:

Beaton	Lynch	Reinke
Bilden	Murry	Schrock
Greiser	Nelson, McKenzie	Streibel
Kamrath	Olson, McHenry	Stucke
Leno	Olson, Mountrail	Thatcher
Lofthus	Peterson	Wahlund

Absent and not voting:

Blank	Nordhougen	Semerad
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So the bill passed and the title was agreed to.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	

Those voting in the negative were:

Greiser Thatcher

Absent and not voting:

Blank	Semerad	Young
Nordhousen		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Bilden	Leno	Page
Bond	Lofthus	Peterson
Brant	Lynch	Raschko
Braun	Morgan	Reinke
Brunsdale	Murry	Rue
Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhousen	Thatcher
Foss	O'Brien	Troxel
Frojen	Oksendahl	Wog
Kamrath	Olson, Barnes	Work
Kehoe	Olson, McHenry	

Those voting in the negative were:

Day	Greiser	Wahlund
Flatt	Shure	

Absent and not voting:

Blank	Semerad	Young
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

Senator Morgan moved that Senate Bill No. 146 be amended as follows:

After the word "specified" in line 8 of the original bill, insert the following language:

"The maximum fee per car load or truck load or any other lot unit not in excess of a standard freight car load quantity, shall not exceed \$4.25 for potatoes and \$5.00 for other produce. A maximum of 25c of each inspection fee for potatoes shall be covered into an advertising fund to be used by the commissioner, in consultation with the growers, for the purpose of advertising North Dakota seed and table stock potatoes in the wholesale and retail markets of the United States", which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 146 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Leno	Peterson
Bond	Lynch	Reinke
Brant	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe		

Those voting in the negative were:

Bilden	Greiser	Page
Braun	Krenz	Raschko
Conrad	Lofthus	Young
Day	Olson, Barnes	

Absent and not voting:

Blank	Semerad
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So the bill passed as amended and the title was agreed to.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that the Chair appoint the Senate Committee on Committee Rooms to act with a like committee from the House to select Committee Room furniture, which motion prevailed.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to transmit:

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagees or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representative  
Bismarck, February 12, 1945

Mr. President: I have the honor to return:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to transmit:

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to transmit:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 59. A Bill for an Act to Prevent Fraud

and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 12, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 12, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 36.

House Bill No. 39.

House Bill No. 45.

House Bill No. 59.

House Bill No. 64.

House Bill No. 76.

House Bill No. 77.

House Bill No. 47.

And the President signed the same in the presence of the Senate.

Senator Brunsdale moved that the Senate do now recess until 1:00 p. m., Tuesday, February 13, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SECOND DAY AFTER RECESS  
AND FORTY-THIRD DAY

Bismarck, February 13, 1945

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

The President announced that the Senate would be on the fifth order of business.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Public Health to whom was referred Senate Bill No. 115, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health, to whom was referred Senate Bill No. 116, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health, to whom was referred Senate Bill No. 117, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws, to whom was referred Senate Bill No. 147, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

## SECOND READING OF SENATE BILLS

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Loithus	Schrock
Braun	Lynch	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Those voting in the negative were:

Page

Absent and not voting:

Kamrath Morgan

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that Senate Concurrent Resolution No. 5 be re-referred to the Committee on Judiciary, which motion prevailed.

Senate Concurrent Resolution No. 6. A Concurrent Resolution for the Repeal of Article 51 of the Amendments to the Constitution of North Dakota Prohibiting Appointment of Any Member of the State Legislative Assembly to Any Civil Office or Employment of Any Nature Whatsoever by the Governor, or Any Officer or Employee of the State of North Dakota, During the Term for Which Said Member of the Legislative Assembly Shall Have Been Elected.

Was read the second time.

## ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Lynch	Reinke
Bilden	Nelson, McKenzie	Rue
Blank	Nordhougen	Semerad
Braun	O'Brien	Streibel
Day	Olson, McHenry	Stucke
Foss	Olson, Mountrail	Thatcher
Greiser	Page	Wahlund
Leno	Peterson	

Those voting in the negative were:

Bond	Frojen	Olson, Barnes
Brant	Kehoe	Raschko
Bridston	Krenz	Schrock
Brunsdale	Lofthus	Shure
Conrad	Morgan	Troxel
Dahlen	Murry	Wog
Drew	Nelson, Griggs-	Work
Feton	Steele	Young
Flatt	Oksendahl	

Absent and not voting:

Kamrath

So the Resolution was declared lost.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Was read the second time.

Senator Brunsdale moved the adoption of Senate Concurrent Resolution No. 7, which motion prevailed and the Resolution was adopted.

Senator Brunsdale moved that Senate Concurrent Resolution No. 9 be re-referred to the Committee on Military and Indian Affairs, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands:

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Kamrath

So the bill passed and the title was agreed to.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Was read the second time.

Senator Flatt moved that unanimous consent be granted each Senator to vote on House Bill No. 84, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Leno	Page
Bilden	Lofthus	Peterson
Blank	Lynch	Raschko
Bond	Morgan	Reinke
Braun	Murry	Schrock
Bridston	Nelson, Griggs-	Semerad
Day	Steele	Streibel
Flatt	Nelson, McKenzie	Thatcher
Foss	O'Brien	Wahlund
Frojen	Oksendahl	Wog
Greiser	Olson, McHenry	Work
Krenz	Olson, Mountrail	Young

Those voting in the negative were:

Brant	Feton	Rue
Brunsdale	Kehoe	Shure
Conrad	Nordhougen	Stucke
Dahlen	Olson, Barnes	Troxel
Drew		

Absent and not voting:

Kamrath

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Semerad moved that the vote by which House Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bilden moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FORTY-THIRD DAY

Bismarck, February 13, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Laten E. Teare, of Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of

the fortieth day after recess and forty-second day and recommend that the same be corrected as follows:

On page 299, in line 35, change "onconsistent" to read "inconsistent".

And when so corrected recommend that the same be approved.

**ORRIS G. NORDHOUGEN, Chairman.**

Senator Nordhaugen moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 66.

And find the same correctly Enrolled.

**W. R. BOND, Chairman.**

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 59.

Senate Bill No. 146.

Senate Bill No. 127.

Senate Bill No. 152.

Senate Bill No. 178.

And find the same correctly Engrossed.

**W. R. BOND, Chairman.**

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Committee Report on Senate Bill No. 1 be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

In line 15, strike out the figures 12,000.00 and insert in lieu thereof the figures 11,000.00.

In line 16, strike out the figures 188,000.00 and insert in lieu thereof the figures 189,000.00.

And when so amended recommend the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the Committee Report on Senate Bill No. 64 be adopted which motion prevailed.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 92, have had the same under consideration and recommend that the same be indefinitely postponed.

**J. L. FLATT, Chairman.**

Senator Flatt moved that the report be adopted.

Senator Day made a substitute motion that Senate Bill No. 92 be placed upon the calendar, which motion lost.

The question being on the motion of Senator Flatt that the Committee Report on Senate Bill No. 92 be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 97, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the bill after the word "Act" insert the following: "to amend and re-enact Section 57-1516 of the North Dakota Revised Code of 1943."

At the end of the title, after the word "budget" strike out the period and insert the following: comma, and declaring an emergency.

In line 1 after the word "the" insert "North Dakota".

In line 7 strike out the word "ten" and insert the word "five".

In line 11 insert a period after the word "district".

Strike out all of line 12, all of line 13, all of line 14, and all of line 15 up to and including the period after the word rate.

At the end of the bill insert the following:

Section 2. This act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 98, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the bill after the word "Act" insert the following: "to amend and re-enact Section 57-1514 of the Revised Code of North Dakota."

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the bill after the word "Act" insert the following: "to amend and re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943."

In line 1 after the word "the" insert "North Dakota".

In line 10 after the word "the" insert "North Dakota".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 109, have had the same under

consideration and recommend that the same be amended as follows:

On line 26 after the word "beverages" insert a semicolon.

On line 30 insert a semicolon between the word "beverages" and the word "or".

On line 53 after the word "pursuant", add the following:

"To the ordinances or resolutions of a city, village or board of county commissioners,".

On line 99 strike out the word "operation" and insert in lieu thereof the word "operated".

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 156, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 158, have had the same under consideration and recommend that the same be indefinitely postponed.

M. J. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 160, have had the same under

consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 168, have had the same under consideration and recommend that the same be amended as follows:

On line 14 strike out the words "true normal value" and insert in lieu thereof "appraised value".

On line 15 strike out the word "Bank".

And when so amended recommend the same do pass.

J. M. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 170, have had the same under consideration and return to the floor without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 123, strike out the word such.

In lines 193 and 194 of the original bill, strike out the words and figures Thirty-five Thousand Dollars (\$35,000.00) and insert in lieu thereof the words and figures Twenty-five Thousand Dollars (\$25,000.00).

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 187, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Brunsdale moved that action on the Committee Report on Senate Bill No. 187 be deferred until the printed Bill is received, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that action on the Committee Report on Senate Bill No. 197 be deferred until the printed bill is received, which motion prevailed.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 37, have had the same under

consideration and recommend that the same be amended as follows:

In line 22 of the original bill strike out the words "sixty percent (60%)" and insert in lieu thereof "fifty percent (50%)".

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 51, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, strike out the words "through a misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943;".

In line 5 of the title of the bill, after the word Dakota and the comma, insert the word "and".

Strike out everything after the title of the bill down to the enacting clause.

Strike out the last word in line 8, strike out all of line 9, strike out all of line 10, and in line 11, strike out the following: "of March, 1943,".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same be amended as follows:

In line 2, after the word "monies" insert "in the equalization fund".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 82, have had the same under consideration and recommend that the same be amended as follows:

In line 2, after the word "monies" insert "in the equalization fund".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator O'Brien moved that the rules be suspended, and that the Senate grant to Boy Scouts Troop No. 2 of Bismarck the courtesy of the floor and that they be permitted to present a short program, which motion prevailed.

Scouts taking part in the ceremony in the Senate Celebrating National Boy Scout Week:

Patrol Leader, Gene Bruhjell.

Assistant, Jack Thoreson.

Scout, Donald Carlson.

Scout, Robert Delzer.

Scout, Jack Kenney.

Scout, George Bittis.

Patrol Leader, Glenn Mauch.

Assistant, Tom Browning.

Scout, Donald Kent.

Scout, Jim Yegen.

Scout, Bill Westley.

Scout, Charles FitzPatrick.

Patrol Leader, Robert Brown.

Assistant, Oscar Will.

Scout, Elden Schmidtgal.

Scout, Robert Gebhardt.

Scout, Jack McCrory.

Scout, Dean Miller.

Scoutmaster, The Rev. A. E. Smith, of St. Georges Episcopal Church.

The troop is sponsored by the Bismarck Kiwanis Club.

Scoutmaster Smith: "Mr. President, it is an honor and privilege to be allowed to introduce to you and through you to the members of the Senate of the State of North Dakota, Troop 2, of the City of Bismarck, of the Boy Scouts of America. We are celebrating National Boy Scout Week this being the 35th anniversary of the chartering by congress of the Boy Scout movement. We represent one of the three hundred and sixty troops in North Dakota and one of the sixty thousand in the nation. We would deem it an honor if you will allow us to invest a recruit into the brotherhood of scouting and ask your participation in this ceremony." (Scout invested was Jack Thoreson, son of Dr. and Mrs. J. O. Thoreson.)

Lieutenant Governor Dahl:

"This week we are honoring one of the most outstanding organizations promoting and teaching good will and brotherly love.

"I deem it a great privilege and an honor to have had this opportunity to take part in these ceremonies here today.

"The Boy Scout organization is international in scope and if given proper support and assistance can well become the foundation upon which world peace may be builded.

"The trained boy scout is a boy who ever stands ready to

render help to his fellow comrades and other citizens, often you see some daring deed chronicled in your daily newspapers, where some Scout has saved lives from drowning or performed feats of like nature coming to the aid of fellow playmates. Thus enabled to do through his special training.

"The Boy Scout in his obligation and duties knows no Creed or sect, his is an obligation to do good and think no evil of any man, his devotion to country and fellow citizens is without reproach.

"Let us honor the Boy Scouts of America by standing and repeating the Scout oath with them, at this time."

Senator Day moved that the remarks of the President and the Scout Leader, and the names of the Boy Scouts who took part in the ceremony be printed in the Journal, and that each Scout be presented with a copy of the Journal for this day, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTIONS

Senator Kehoe introduced:

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Was read the first time and referred to the Committee on State Affairs.

Senator Young moved that the Senate do concur in the House amendment to Senate Bill No. 21, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 21 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lothius	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog

Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator O'Brien moved that the Senate do concur in the House amendment to Senate Bill No. 67, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 67 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Brant	Greiser
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So the bill passed and the title was agreed to.

Senator Olson of McHenry moved that the Senate do concur in the House amendment to Senate Bill No. 102, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 102 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Brant

So the bill passed and the title was agreed to.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Lofthus	Peterson
Blank	Lynch	Raschko
Braun	Morgan	Reinke
Brunsdale	Murry	Schrock
Dahlen	Nelson, Griggs-	Semerad
Day	Steele	Shure
Feton	Nelson, McKenzie	Streibel
Foss	Nordhougen	Stucke
Frojen	O'Brien	Thatcher
Greiser	Oksendahl	Troxel
Kamrath	Olson, Barnes	Wog
Kehoe	Olson, McHenry	Work
Krenz	Olson, Mountrail	Young
Leno	Page	

Those voting in the negative were:

Beaton	Conrad	Wahlund
Bond	Drew	

Absent and not voting:

Brant	Flatt	Rue
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any

Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brunsdale	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Brant

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	Peterson
Greiser	Olson, Mountrail	Thatcher
Kamrath		

Absent and not voting:

Brant

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 18; absent and not voting, 4.

Those voting in the affirmative, were:

Blank	Morgan	Reinke
Braun	Murry	Rue
Bridston	Nelson, Griggs-	Schrock
Brunsdale	Steele	Shure
Dahlen	O'Brien	Stucke
Day	Oksendahl	Thatcher
Feton	Olson, Barnes	Wahlund
Foss	Olson, Mountrail	Wog
Krenz	Raschko	Work
Lynch'		

Those voting in the negative were:

Beaton	Greiser	Page
Bond	Kamrath	Peterson
Conrad	Leno	Semerad
Drew	Lofthus	Streibel
Flatt	Nelson, McKenzie	Troxel
Frojen	Olson, McHenry	Young

Absent and not voting:

Bilden	Kehoe	Nordhougen
Brant		

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 177 was passed be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, was declared lost.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943, Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed .

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Semerad

Braun	Lofthus	Schrock
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	Nordhougen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen	Page	
Absent and not voting:		
Murry	Nelson, Griggs- Steele	

So the bill passed and the title was agreed to.

#### SECOND READING OF HOUSE BILLS

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Frojen	Page
Bilden	Greiser	Peterson
Blank	Kamrath	Raschko
Bond	Kehoe	Reinke
Brant	Krenz	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Lynch	Shure
Conrad	Morgan	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Absent and not voting:		
Murry	Nelson, Griggs- Steele	Nordhougen Wog

So the bill passed and the title was agreed to.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Murry

So the bill passed and the title was agreed to.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lynch	Semerad
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	Nordhougen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen	Page	

Absent and not voting:

Lofthus                      Morgan                      Murry

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its

Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Thatcher
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Brant Troxel

So the bill passed and the title was agreed to.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Bilden	Greiser	Troxel
Brant	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Was read' the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Absent and not voting:

Bilden	Greiser	Nordhougen
Brant	Nelson, McKenzie	Troxel
Bridston		

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 49 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Fitch, Olson of Barnes and Hovey.

KENNETH L. MORGAN, Chief Clerk.

The President announced the appointment of Senators Foss, Greiser and Feton as a conference committee to act with a like committee from the House, on House Bill No. 49.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 49, Senators Foss, Greiser and Feton.

W. J. TROUT, Secretary.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 48 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson of Richland, Graham and Ohnstad.

KENNETH L. MORGAN, Chief Clerk

The President announced the appointment of Senators Kehoe, Day and Shure as a conference committee, to act with a like committee from the House, on House Bill No. 48.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 48, Senators Kehoe, Day and Shure.

W. J. TROUT, Secretary.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to return:

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1945

Mr. President: I have the honor to return:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Which the President has signed.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to transmit:

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE BILLS

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

Was read the first time and referred to the Committee on Public Lands.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations

Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Was read the first time and referred to the Committee on Counties.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Was read the first time and referred to the Committee on Ways and Means.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 66.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to return:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FORTY-FOURTH DAY

Senate Chamber

Bismarck, February 14, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Laten E. Teare, of Bismarck.

Roll call: All Senators present except Senator Greiser.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 21, Senate Bill No. 67, and Senate Bill No. 102.

W. J. TROUT, Secretary.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-second Day After Recess and the Forty-third Day and recommend that the same be corrected as follows:

On page 319, in line 27, change the word "Enrolled" to read "Engrossed".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHAUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 14, 1945

Mr. President: I have the honor to transmit:

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of

1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6.  
 Senate Bill No. 64.  
 Senate Bill No. 97.  
 Senate Bill No. 98.  
 Senate Bill No. 99.  
 Senate Bill No. 109.  
 Senate Bill No. 168.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No 141, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs, to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage, to whom was referred Senate bill No. 159, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations and then placed upon the calendar without recommendation.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 182, have had the same under consideration and recommend that the same be amended as follows:

Page 2 line 33 strike the period and insert a semi-colon and add the following: "But only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to preparations of such fruits and vegetables for market. Nor shall such service on fruits and vegetables be deemed other than 'agricultural labor' by reason of the employer being partly or wholly a commercial handler of the commodity, or by reason of the 'market' for which the same is being prepared is for

seed or further processing, or because the operations are not incident to farming operations."

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Committee Report on Senate Bill No. 187 be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same be amended as follows:

In line 13, strike out the word "shall" and insert in lieu thereof the word "may".

In the 14th line, after the word "and", insert the following: "shall in such case".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 199, have had the same under consideration and recommend that the same be amended as follows:

On line 21, after the word "in" insert the word "steal".

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Brunsdale moved that action on the Committee Report on Senate Bill No. 199 be deferred until the printed bill is received, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 8, have had the same under consideration and recommend that the same be amended as follows:

Page 2 line 16 strike the period after the word route and insert comma and add the following: "And shall receive no other compensation or expenses".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

In line 33 of the original bill, after the word Buildings and the colon, add the following:

(To be constructed only on authorization by the Budget Board of the State of North Dakota).

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

In line 40 of the original bill, after the word Buildings and the colon, add the following:

(To be Constructed only on Authorization by the Budget Board of the State of North Dakota).

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 17, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out the figures \$530,050.00 and insert in lieu thereof the figures \$546,750.00.

In line 12, strike out the figures 340,000.00 and insert in lieu thereof the figures 355,000.00.

In line 33, strike out the figures 677,250.00 and insert in lieu thereof the figures 692,250.00.

In line 38, after the word Buildings and the colon, add the following:

(To be Constructed only on Authorization by the Budget Board of the State of North Dakota).

After line 47, add the following new line:

47a. 7. Truck Exchange .....1,700.00

In line 48, strike out the figures 730,050.00 and insert in lieu thereof the figures \$746,750.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 23, have had the same under consideration and recommend that the same be amended as follows:

In line 35 of the original bill after the word Buildings and the colon, add the following:

(To be Constructed only on Authorization by the Budget Board of the State of North Dakota).

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 50, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 117, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 118, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 66 was delivered to the Governor for his approval at the hour of 10:20 a.m. o'clock February 14, 1945.

W. R. BOND, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 173.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 21.  
Senate Bill No. 67.  
Senate Bill No. 102.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 1.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 14, 1945

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Olson of McHenry moved that Senate Bill No. 82 be re-referred to the Committee on Game and Fish, which motion prevailed.

Senator Day moved that the action by which Senate Bill No. 92 was indefinitely postponed be reconsidered.

A roll call was demanded and denied.

The question being on the motion of Senator Day, which motion prevailed.

Senator Raschko requested consent of the Senate to introduce a Bill.

Senator Stucke moved that Senator Raschko's request be granted, which motion prevailed.

Senator Streibel requested the consent of the Senate to withdraw his motion on Senate Bill No. 6, which request was granted.

Senator Streibel moved that Senate Bill No. 6 be amended as follows: In line 15 of the printed Bill strike the figure "\$11,000.00" and insert in lieu thereof "\$10,000.00", which motion lost.

## SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Feton	Oksendahl
Blank	Flatt	Olson, Barnes
Bond	Foss	Page
Brant	Kehoe	Raschko
Braun	Krenz	Rue
Bridston	Lofthus	Schrock
Brunsdale	Morgan	Shure
Conrad	Murry	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	O'Brien	Young

Those voting in the negative were:

Bilden	Nordhougen	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke
Lynch	Peterson	Thatcher
Nelson, McKenzie	Reinke	Wahlund

Absent and not voting:

Greiser	Frojen
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So the bill passed and the title was agreed to.

Senator Young moved that the vote by which Senate Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion on a standing vote, prevailed.

Senate Bill No. 64. A Bill for an Act to Provide for the Licensing and Regulation of Practical Nurses, Providing for Training Practical Nurses, and Prescribing Penalties for Violation Thereof.

Was read the second time.

Senator Nordhougen moved that Senate Bill No. 64 be indefinitely postponed, which motion, on a standing vote, prevailed.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young

Those voting in the negative were:

Drew

Absent and not voting:

Blank	Murry	Nordhougen
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Drew moved that the vote by which Senate Bill No. 97 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Was read the second time.

Senator Morgan moved that Senate Bill No. 98 be amended as follows: In line 1, after the word "the" and before the word "Revised" insert the words "North Dakota", which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 98 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work

Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:  
Blank Thatcher

Absent and not voting:  
Greiser

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which Senate Bill No. 98 was passed be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, prevailed.

Senator Olson of Mountrail: "Mr. President: I have to vote 'Yes,' but I am clearly opposed to it because we should have the seventy-five percent valuation bill instead of this. I have to vote for it whether I like it or not."

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 54-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Bond	Leno	Peterson
Braun	Lofthus	Raschko
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young
Kehoe		

Those voting in the negative were:

Blank	Brant	Thatcher
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Absent and not voting:

Bilden	Page	Reinke
Greiser		

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which Senate Bill No. 99 was passed be reconsidered and the motion to re-

consider be laid on the table, which motion, on a standing vote, prevailed.

Senator Brant: "Mr. President: I am voting 'No' on this because I think we should do the sensible thing, because I think we should place our property at one hundred percent and that then, therefore, we could reduce our levy. We could save fifty-three county auditors in this state a lot of clerk-hire."

Senator Bond: "Mr. President: I have great confidence in the Committees of this Senate and, generally speaking, I vote as they recommend, and in this case I am going to vote as the Committee wishes, but I believe we are putting on too many mill taxes. It adds up and adds up and we lose track of how much we are putting on the taxpayer. I think it is a bad practice. We used to have a lot of trouble with this; then we started to clean it up, and did clean it up. When we wanted to give money to an individual or institution we gave them so much in cash or an appropriation rather than give them a mill levy. I think we are going to make a serious mistake."

Senator Conrad: "Mr. President: I am going to vote 'Yes' on this measure for the reason that it is good school equalization from a county-wide standpoint. In those school districts that do not have the proper valuation this will help them."

Senator Stucke: "Mr. President: I still think it is the wrong approach to keep levying these extra mills. It is my firm conviction that the majority of the Senate were right in supporting House Bill No. 38. I don't want to vote in any way that might impair the operation of the schools of this State and so I am compelled, much against my wishes, to vote 'Aye' on this measure."

Senator Nordhousen moved that Senate Bill No. 109 be referred to the Committee on Temperance, which motion, on a standing vote, prevailed.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhousen	Thatcher
Drew	O'Brien	Troxel

Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Those voting in the negative were:

Streibel

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke

Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Flatt	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Those voting in the negative were:

Olson, Mountrail    Semerad

Absent and not voting:

Greiser

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Was read the second time.

Senator Bridston moved that action on Senate Bill No. 156 be deferred one legislative day, which motion prevailed.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Foss	Olson, Barnes
Bilden	Frojen	Olson, McHenry
Blank	Kamrath	Page
Bond	Kehoe	Peterson
Brant	Krenz	Raschko
Braun	Leno	Reinke
Bridston	Lofthus	Schrock
Brunsdale	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wog
Flatt	Oksendahl	Work

Those voting in the negative were:

Olson, Mountrail    Streibel            Wahlund

Absent and not voting:

Greiser	Nelson, McKenzie	Young
Murry	Rue	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Shure moved that the vote by which Senate Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 170. A Bill for an Act for Prohibiting Minors Under Eighteen Years of Age from Loitering or Working in Any Place Where Intoxicating Liquors Are Sold, or Loitering on the Streets, Alleys, Parks, or Public Place of Any City, Village, or Town After Ten o'Clock P. M. Prescribing Punishment.

Was read the second time.

Senator Olson of Mountrail moved that Senate Bill No. 170 be amended as follows: Strike out all of Section 2.

Senator Shure made a substitute motion that Senate Bill No. 170 be indefinitely postponed, which motion, on a standing vote, lost.

Senator Thatcher moved that Senate Bill No. 170 be referred to the Committee on Temperance, which motion prevailed.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 13; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Foss	Nordhousen
Bilden	Frojen	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Page
Brant	Krenz	Raschko
Braun	Lynch	Rue
Bridston	Morgan	Thatcher
Brunsdale	Murry	Troxel
Dahlen	Nelson, Griggs-	Wahlund
Drew	Steele	Wog
Feton	Nelson, McKenzie	Work
Flatt		

Those voting in the negative were:

Conrad	Olson, McHenry	Semerad
Day	Olson, Mountrail	Shure
Leno	Peterson	Streibel
Lofthus	Reinke	Stucke
O'Brien		

Absent and not voting:

Greiser	Schrock	Young
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the vote by which Senate Bill No. 173 was passed be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, prevailed.

### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of

North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota, to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 165: A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943, Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 14, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-

enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m. Thursday, February 15, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-FOURTH DAY AFTER RECESS  
AND FORTY-FIFTH DAY

Bismarck, February 15, 1945

The Senate convened at 1:00 p.m. pursuant to recess taken, the President Pro tem presiding.

The President Pro tem announced that the Senate would be on the eleventh order of business.

FIRST READING OF HOUSE BILLS

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis.

Was read the first time and referred to the Committee on Education.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Was read the first time and referred to the Committee on Education.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other

Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Was read the first time and referred to the Committee on State Affairs.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

Was read the first time and referred to the Committee on Federal Relations.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Was read the first time and referred to the Committee on Federal Relations.

## PETITIONS AND COMMUNICATIONS

### STATE OF NORTH DAKOTA OFFICE OF THE GOVERNOR

February 14th 1945

Members of the Senate,  
Twenty-Ninth Legislative Assembly,  
Bismarck, North Dakota

Gentlemen:—

I am herewith returning, without my approval, Senate Bill No. 90, an act to amend and re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, pertaining to equalization of appraisals, leasing of original grant land and leasing of non-grant land, by the Board of University and School lands; fixing minimum and declaring an emergency.

This bill provides that when school land is leased by public sale to the highest bidder, such sale shall be commenced by placing a minimum rental price of \$15.00 per quarter on pasture and grazing land, and a minimum rental price of fifty cents to seventy-five cents per acre on cultivated lands.

In the past, minimum prices have been established by the Board of University and School Lands, at any point above a minimum now set by statute. This bill would bar the discretion of the Board in setting minimum prices. Past

experience indicates that much of the land is leased at the minimum price set by the Board—and that good neighborly feeling in communities where school lands fit into someone's farming unit, retards competitive bidding, and makes a reasonably high minimum price necessary.

All crop lands should lease for one dollar or more, per acre. If it is not worth that much, it should go back to grass land. The minimum of \$15.00 per quarter for grazing land is too low for average conditions in the state at present prices. However, it must be recognized that there are some exceptions.

To protect a reasonable and fair income for our land grant school fund, which is distributed among the schools of this state each year, I find it necessary to veto this bill.

Respectfully,  
**FRED G. AANDAHL**  
 Governor of North Dakota

FGA:RS

Senator Rue requested that the Senate be on the eighth order of business, which request was granted.

Senator Rue moved that the action by which Senate Bill No. 121 was indefinitely postponed be reconsidered, which motion, on a standing vote, prevailed.

Senator Rue moved that Senate Bill No. 121 be re-referred to the Committee on Corporations, which motion prevailed.

Senator Young moved that Senate Bill No. 1 be placed at the foot of the calendar, which motion prevailed.

Senator Blank requested the consent of the Senate to introduce a Bill.

Senator Day moved that consent be given to Senator Blank to introduce a Bill, which motion prevailed.

Senator O'Brien moved that the action by which Senate Bill No. 67 was passed be reconsidered, which motion prevailed.

Senator O'Brien moved that Senate Bill No. 67 be re-referred to the Committee on Military and Indian Affairs, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Barnes
Bilden	Kamrath	Olson, McHenry
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Brunsdale	Lynch	Rue

Conrad	Morgan	Schrock
Dahlen	Murry	Shure
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Those voting in the negative were:		
Olson, Mountrail	Streibel	Wahlund
Absent and not voting:		
Bridston	Nordhougen	Young
Greiser	Semerad	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	

Absent and not voting:

Bridston	Greiser	Semerad
Flatt	Nordhougen	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Semerad
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	

Absent and not voting:

Flatt	Nordhougen	Shure
Greiser	Schrock	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bilden	Krenz	Page
Blank	Leno	Peterson
Bond	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath		

Absent and not voting:

Flatt	Schrock	Young
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath		

Absent and not voting:

Bridston	Page	Young
Flatt		

So the bill passed and the title was agreed to.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	

Absent and not voting:

Brunsdale	Page	Young
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Nelson of Griggs-Steele moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FORTY-FIFTH DAY

Bismarck, February 15, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Paul G. Hayes of Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fourth Day and find the same correct.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 98.

Senate Bill No. 182.

Senate Bill No. 188.

Senate Concurrent Resolution No. 8

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the words and figures Two Million Five Hundred Thousand Dollars (\$2,500,000.00) and insert in lieu thereof the words and figures Five Hundred Thousand Dollars (\$500,000.00).

In lines 1 and 2 of Section 1, strike out the words and figures two million five hundred thousand dollars (\$2,500,000.00) and insert in lieu thereof the words and figures five hundred thousand dollars (\$500,000.00).

Number the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Brunsdale moved that the Committee Report on Senate Bill No. 32 be amended to read that the Bill be referred to the Committee on Military and Indian Affairs, which motion prevailed.

Senator Young moved that the Committee Report on Senate Bill No. 32 be adopted, as amended by the motion of Senator Brunsdale, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 82, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 96, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same be amended as follows:

Page 1, line 9, after the word "band" strike out the word "or" and insert a comma and also in line 9 after the word "library" and insert the following: "or any city undertaking the construction and maintenance of a swimming pool."

In line 10 after the word "exceed" strike out the word "two" and in lieu thereof insert the word "three".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same be amended as follows:

In line 41, after the word "Whitney" and after the comma (,) , strike out the "J" and insert in lieu thereof the word "John".

In line 51, after the word "in", strike out the word "the" and insert in lieu thereof the word "this".

In line 104, at the beginning of the line, strike out the word "means" and insert in lieu thereof the word "mean".

In line 139, after the word "flow" strike out the word "occurring" and insert in lieu thereof the word "occurring".

In line 196, after the word "or" after the word "services" strike out the word "date" and insert in lieu thereof the word "data".

In line 200, at the beginning of the line, strike out the word "date" and insert in lieu thereof the word "data".

In line 262, after the word "temporarily" strike out the word "diver" and insert in lieu thereof the word "divert".

In line 308, after the word "in" strike out the word "the" and insert in lieu thereof the word "that".

In line 395, after the word "to" at the end of the line, insert the word "reach".

In line 508, after the word "should" strike out the word "an" and insert in lieu thereof the word "any".

In line 613, after the word "Einar" insert the letter "H" and a period (.).

Strike out lines 619 and 620 and insert in lieu thereof the following:

"I have participated in the negotiation of this Compact and intend to report favorably thereon to the Congress of the United States.

Harold D. Comstock  
Representative of the United States of America"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 151, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred Senate Bill No. 155, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title, after the word "law", strike out the comma (,) and insert a period (.). Strike out the balance of the line and all of line four.

In Section 1, line 1, after the word "cities" strike out the balance of the line. Strike out all of line 2, all of line 3, up to and including the word "census".

Renumber lines accordingly.

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 162, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same be amended as follows:

In line 7, strike out the word "Bank".

And when so amended recommend the same do pass.

M. J. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred Senate Bill No. 181, have had the same under consideration and recommend that the same do pass.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 193, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the Committee Report on Senate Bill No. 195 be adopted, which motion prevailed, and the Bill was indefinitely postponed.

Senator Morgan moved that Senate Bill No. 197 be referred to the Committee on Education, which motion prevailed.

Mr. President: Your Committee on Game and Fish, to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be amended as follows:

In the title of the original bill in the third line from the bottom after the word "birds" insert the following:

"Section 20-0212 of the North Dakota Revised Code of 1943, relating to compensation and expenses of District Deputy Game Wardens."

In the title of the original bill after the word "wardens" insert the following: Section 20-0217 of the North Dakota Revised Code of 1943, relating to Police Powers of Commissioner."

In line 21 of the original bill after the word "animals" insert the following:

"While on or in a motor vehicle."

In line 176 of the original bill strike out the figures "20-402" and insert in lieu thereof the figures "20-0402".

In line 186 of the original bill place a parenthesis around the words "white-breasted grouse".

After line 304 of the original bill insert the following and call it section 21:

"Section 21. Amendment.) That Section 20-0212 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

20-0212. Compensation and Expenses of District Deputy Game Wardens. The salary of each regular district deputy game warden for all services performed in any capacity whatever shall be, for each biennium, the amount appropriated therefor by the legislative assembly but not exceeding the sum of eighteen hundred dollars per year, together with the actual traveling expenses incurred by each in the performance of his duties."

After the last word in Section 21 on the following line insert the following:

"Section 22. Amendment.) That subsection 1 of Section 20-0217 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

Subsection 1 of Section 20-0217. Police Powers of Commissioner, Deputy Commissioner, and Bonded Appointees of Commissioner. The commissioner, deputy commissioner, and any bonded appointee of the commissioner may:

1. Enter and inspect without warrant any hotel, restaurant, cold storage warehouse, plant, ice house, or any building used for the storage of dressed meats, game, or fish for the purpose of determining whether game or fish, or parts thereof are kept or stored therein in violation of any of the provisions of this title;"

Renumber the remaining two sections accordingly.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the Committee Report on Senate Bill No. 199 be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred Senate Concurrent Resolution No. 12, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred House Bill No. 60, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations, to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 94, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the Senate concur in the House amendments to Senate Bill No. 38.

For the Senate:

MILTON RUE  
R. M. STREIBEL  
RILIE R. MORGAN

For the House:

W. L. BOLMEIER  
PALMER LEVIN  
BRYNHILD HAUGLAND

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rue moved that the rules be suspended, that Senate Bill No. 38 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Sub-

division F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhogen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young

Those voting in the negative were:

Bond	Nelson, Griggs- Steele
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Absent and not voting:

Foss	Frojen
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So the bill passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senator Raschko introduced:

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senator Blank introduced:

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

The Committee on Delayed Bills introduced:

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Was read the first time and referred to the Committee on State Affairs.

Senator Rue introduced:

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Senator Rue moved that the rules be suspended and that Senate Concurrent Resolution No. 14 be placed on second reading and final passage, which motion prevailed.

Senator Rue moved that Senate Concurrent Resolution No. 14 be adopted, which motion prevailed.

Senator Raschko moved that the President appoint a committee of one to escort the Honorable M. L. McBride to the rostrum, which motion prevailed.

The President appointed Senator Raschko as a committee of one to escort the Honorable M. L. McBride to the rostrum.

Former Senator McBride: "I consider it an honor and a privilege to be permitted to address a few words to you today.

"I don't know whether many of you will recall the time that I served in this body, but I served during the sessions of 1913, 1915, 1917, 1919, and two special sessions. During the fateful session of 1918 I had the doubtful honor of serving as Chairman of the Judiciary Committee during a period of considerable turmoil in this State. The record shows for itself the history of the battle of the two factions. Time has taken care of some of those wounds and some of them, I suppose, will never be healed.

"But, be that as it may, I would like to call to your mind some of the things we hear about in the events of the American way of living over there where our boys are. I read an article a few days ago by a reporter who was over there and he told that the greatest thing the boys had done over there was their generosity, the generosity of the G. I.—that was his secret weapon, the greatest secret weapon this war had uncovered; that the people over there had learned more about the American people through the way they contact the people over there and the way they treated them.

They realized more about our way of living through what the boys did in their contacts with the boys over there.

"One of the greatest assets of an American citizen is tolerance. The majority faction should always be tolerant of the minority faction. You can always get good ideas from your opponent. Perhaps I didn't think so when I first became a member of this body but I have learned that many of the things the opponent brought up and thought of finally got into our law and were improvements.

"I might leave this thought with you. I heard a little story the other day and, of course, I am in doubt as to its truth because it involves the future. They said that Hitler and FDR were way, way down below in a very hot place. Hitler said to FDR: "You know, I could make a lot of improvements down here. I know a lot of things I could do here. "All right," says FDR, "we'll finance it."

"It's a good thing to remember. Your Appropriations Committee and your Committee on Tax and Tax Laws should bear these things in mind—whether the improvements are worth the tax and whether there should be appropriations to support it.

"I thank you."

Senator Raschko moved that the remarks of the Honorable M. L. McBride be printed in the Journal, which motion prevailed.

Senator Bridston moved that Senate Bill No. 156 be referred to the Committee on Corporations, which motion prevailed.

Senator Kehoe moved that Senate Bill No. 202 be referred to the Committee on Judiciary, which motion prevailed.

Senator Young moved that Senate Bill No. 1 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the second time.

Senator Young moved the following amendments to Senate Bill No. 1, as engrossed:

In line 58, subline e., strike out the figures "\$32,373.00" and insert in lieu thereof the figures "\$35,173.00".

In line 59, subline f., strike out the figures "\$60,889.00" and insert in lieu thereof the figures "\$66,189.00".

In line 63, strike out the figures "\$690,285.00" and insert in lieu thereof the figures "\$698,385.00".

In line 74, strike out the figures "\$1,176,647.00" and insert in lieu thereof the figures "\$1,184,747.00".

In line 77, strike out the figures "\$841,647.00" and insert in lieu thereof the figures "\$849,747.00".

In line 81, strike out the figures "\$1,091,647.00" and insert in lieu thereof the figures "\$1,099,747.00".

In line 10, subline 1, strike out the figures "\$1,091,647.00" and insert in lieu thereof the figures "\$1,099,747.00".

Which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 1 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Bilden	Lynch	Schrock
Frojen	O'Brien	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, McKenzie	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Drew	Nordhougen	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work

Kamrath	Page	Young
Kehoe		

Those voting in the negative were:

Day

Absent and not voting:

Bilden	Frojen	O'Brien
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So the bill passed and the title was agreed to.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Frojen	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, Mountrail
Brant	Krenz	Page
Braun	Lofthus	Raschko
Bridston	Lynch	Rue
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Troxel
Dahlen	Steele	Wog
Drew	Nordhougen	Work
Feton	O'Brien	Young
Foss		

Those voting in the negative were:

Bilden	Nelson, McKenzie	Semerad
Day	Olson, McHenry	Streibel
Flatt	Peterson	Stucke
Greiser	Reinke	Thatcher
Leno	Schrock	Wahlund
Murry		

So the bill passed and the title was agreed to.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue

Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, Mountrail	Young
Frojen		
Those voting in the negative were:		
Greiser	Olson, McHenry	Semerad
Murry		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	Oksendahl
Blank	Frojen	Olson, Barnes
Bond	Kamrath	Olson, McHenry
Bridston	Kehoe	Page
Brunsdale	Krenz	Peterson
Conrad	Lofthus	Raschko
Dahlen	Morgan	Shure
Day	Nelson, Griggs-	Troxel
Drew	Steele	Wog
Feton	Nordhougen	Work
Flatt	O'Brien	

Those voting in the negative were:

Bilden	Nelson, McKenzie	Semerad
Brant	Olson, Mountrail	Streibel
Braun	Reinke	Stucke
Greiser	Rue	Wahlund
Leno	Schrock	Young
Lynch		

Absent and not voting:

Murry	Thatcher
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So the bill passed and the title was agreed to and the emergency clause lost.

Senator Braun: "Mr. President: I am for the common man and this Bill is not for the common man. Therefore, I vote 'no.'"

Senator Conrad: "Mr. President: I am for the common man and I am for the farmer. Therefore, I vote 'aye'."

Senator Streibel: "Mr. President: If I understand the function of law, Federal laws precede State laws. If any remedy is needed the Federal courts are available. Therefore, I vote 'no'."

Senator Stucke: "Mr. President: As this law exempts the commercial operators from unemployment insurance I vote 'no.' Ordinarily, if it helps the cooperatives I vote 'yes,' but under the circumstances I vote 'no.'"

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young

Absent and not voting:

Thatcher Troxel

So the bill passed and the title was agreed to.

#### SECOND READING OF HOUSE BILLS

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke

Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Beaton Morgan

So the bill passed and the title was agreed to.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Beaton Kehoe

So the bill passed and the title was agreed to.

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Krenz	Peterson

Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Beaton Kehoe

So the bill passed and the title was agreed to.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Kehoe

So the bill passed and the title was agreed to.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen		

Absent and not voting:

Keoh	Nelson, Griggs- Steele	Wahlund
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So the bill passed and the title was agreed to.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Absent and not voting:

Bridston	Nelson, Griggs- Steele	Wahlund
Keoh		

So the bill passed and the title was agreed to.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhogen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen		

Absent and not voting:

Greiser	Page	Wahlund
Kehoe		

So the bill passed and the title was agreed to.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Was read the second time.

## ROLL CALL

Senator Flatt moved that Senate Concurrent Resolution No. 8 be laid over one legislative day, which motion lost.

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhogen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen		

Absent and not voting:

Greiser	Page	Wahlund
Kehoe		

So the resolution passed and the title was agreed to.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to return:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to return:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of

the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Sub-

section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws.

of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk  
House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor, to transmit:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.  
Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 38.

W. J. TROUT, Secretary.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 4, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 4 be considered properly re-engrossed, and placed upon second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure

Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young

Absent and not voting:

Greiser	Lynch	Wahlund
Kehoe	Streibel	

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 7 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen		

Absent and not voting:

Bond	Lynch	Streibel
Greiser	Nelson, McKenzie	Wahlund
Kehoe		

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 47, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 47 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 47. A Bill for an Act to Establish Prudent

**Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.**

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 3; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Blank	Lofthus	Raschko
Bridston	Morgan	Reinke
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Stucke
Drew	Nordhousen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Brant	Braun	Rue
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Absent and not voting:

Bond	Kehoe	Streibel
Greiser	Lynch	Wahlund

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

- Senate Bill No. 4.
- Senate Bill No. 7.
- Senate Bill No. 47.

W. J. TROUT, Secretary.

**FIRST READING OF HOUSE BILLS  
AND RESOLUTIONS**

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 136. A Bill for an Act to Repeal Subsection 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associa-

tions Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Highways and Bridges.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Was read the first time and referred to the Committee on Drainage and Irrigation.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Was read the first time and referred to the Committee on Public Printing.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 52.  
House Bill No. 57.  
House Bill No. 72.  
House Bill No. 84.  
House Bill No. 102.

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 21.  
Senate Bill No. 102.

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 15, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the President has signed.

W. J. TROUT, Secretary.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FORTY-SIXTH DAY

Bismarck, February 16, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer, by the Chaplain, Rev. Paul G. Hayes, of Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-fourth day after recess and forty-fifth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 100.

Senate Bill No. 122.

Senate Bill No. 155.

Senate Bill No. 167.

Senate Bill No. 199.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 21.

Senate Bill No. 102.

Were delivered to the Governor for his approval at the hour of 3.36 P.M. o'clock February 16, 1945.

W. R. BOND, Chairman.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Elections, to whom was referred Senate Bill No. 42, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day requested the consent of the Senate to with-

draw the Committee Report on Senate Bill No. 86, which request was granted.

Mr. President: Your Committee on Temperance, to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the title after "licensees" insert "and by minors".

In line 16 of the printed bill strike out the word "or" and insert a comma and the words "corporation or municipal".

In line 41 after the word "applicant" insert the words "other than incorporate".

In line 58 insert between "a" and "corporation" the words "private or municipal".

In line 98 strike out the word "minor" and insert in lieu thereof the words "person under 21 years of age".

Strike out lines 125, 126, 127, 128, 129 inclusive.

In line 131 strike out the word "shall" and insert in lieu thereof the word "may".

Strike out all of line 132.

Strike out "and" in line 133 and insert in lieu thereof the words "assist in".

Insert after the word "state" in line 133 the following language: "under the Tax Commissioner's jurisdiction".

Strike out "relating to the manufacture" in line 133 and all of line 134 up to and including the period.

In line 146 strike out the words "citizen of a county" and insert in lieu thereof the word "person".

In line 147 strike out the word "knowledge" and insert in lieu thereof the word "information".

In line 149 after the word "act" insert the following language: "or any law respecting the sale of beer or intoxicating liquor".

In line 172 strike out everything after the word "hearing"—strike out all of line 173—strike out "of the Commissioner" in line 174 and insert in lieu thereof the word "shall".

In line 189 strike out the semi-colon and insert a period and strike out the remainder of Section 9.

In line 202 strike out all of Section 11 after the parenthesis and insert in lieu thereof the following language:

"The action of the Tax Commissioner in revoking or suspending a license may be appealed to the district court of the county and district in which the premises described in the license are located by procedure applicable to appeals from Justice Court except that the Commissioner's order revoking or suspending the license may be stayed by the court appealed to upon filing with the clerk of said court a bond approved by and in the amount set by the Judge of said district court for the faithful observance of the laws of the state relative to the operation of the business licensed during the pendency of the appeal.

"The revocation or suspension of a licensee's municipal or county license shall automatically revoke or suspend such licensee's state license."

Strike out all of Section 13 after the number 13 and insert in lieu thereof the following language:

"Before selling, serving or dispensing to any person any beer, alcohol or alcoholic beverage, a licensee, his agent or employee may require a statement in writing and signed by said person of such person's age. Any person who makes a false statement as to his or her age is guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred dollars (\$100.00) or by imprisonment for not to exceed thirty (30) days or both such fine and imprisonment."

After line 235 insert the following:

"Section 15. The provisions of this act shall not be construed as exclusive and shall in no manner repeal or abolish any restrictions or regulations now contained in any law, resolution or ordinance for the conduct and operation of such business, enacted by the legislative assembly and the governing board of any city, village or county."

In line 236 strike out the figures "15" and insert in lieu thereof the figures "16".

In line 243 after the word "Act" insert the following language:

"excluding however Chapter 5-04 of the North Dakota Revised Code of 1943".

In line 245 strike out the figures "16" and insert in lieu thereof the figures "17".

And when so amended recommend the same do pass, and re-referred to the Committee on Appropriations.

MELVIN OLSON, Chairman.

Senator Flatt moved that the Committee Report on Senate Bill No. 109 be printed in the Journal and action deferred one legislative day, which motion prevailed.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 170, have had the same under consideration and recommend that the same be placed on the calendar without recommendations.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 171, have had the same

under consideration and recommend that the same be amended as follows:

In the second line of the title of the original bill, after the word "Therefor" Strike the semi-colon, insert a comma and add the following language: "From the Game and Fish Fund";

In line 5, strike the word "therefor" and the period and add the following language: "out of any monies to the credit of the Game and Fish Fund."

In line 15, after the word "of" strike the word "Education" and insert the words "Game and Fish."

In line 20, strike out the word "secretary" and insert in lieu thereof the word "superintendent".

In line 39, after the word "printing" strike out the word "and" and insert a comma (,); also in line 39, following the word "publishing" insert the words "and distribution".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred Senate Bill No. 172, have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything following the words "A Bill" and insert the attached amendment.

#### Amendment

#### Senate Bill No. 192

FOR AN ACT to permit the state of North Dakota, its departments, political subdivisions and all instrumentalities and agencies of either of them, and the employees thereof, to participate in the Federal Old Age Benefits provisions of the Social Security Act, and to make the contributions therein provided for, if and when such Act is amended to permit such participation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. If and when the Federal Social Security Act, being Chapter 7 of Title 42, United States Code, shall be amended to permit such participation, the State of North Dakota, all departments thereof, all political subdivisions thereof, and all instrumentalities and agencies of any of them, shall be and they are hereby authorized, in the discretion of

the governing board or authority of each such department, political subdivision, instrumentality or agency, to participate in the Federal Old Age Benefits provisions of said Social Security Act, as amended, including the acceptance of all benefits provided under Title II of said Act, and the payment of employers' contributions and the deduction of employees' contributions under the provisions of Title VIII thereof, to the full extent permitted by said Social Security Act or any future amendment thereof.

Section 2. All acts or parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the Committee Report on Senate Bill No. 192 be printed in full in the Journal and action deferred one legislative day, which motion prevailed.

Mr. President: Your Committee on Ways and Means to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the action on the Committee Report on Senate Bill No. 208 be deferred until the Bill is printed, which motion prevailed.

Mr. President: Your Committee on Elections to whom was referred Senate Concurrent Resolution No. 10, have had the same under consideration and recommend that the same be amended as follows:

In line 12 of the original bill strike out the word "four" and insert in lieu thereof the word "two".

In line 24 of the original bill strike out the word "three" and insert in lieu thereof the word "six".

In line 26 of the original bill after the period strike out the rest of the line and all of lines 27 and 28.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 13, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same be amended as follows:

On line 3, after the word "fund" insert a comma (,) and strike out the word "and".

On line 5, after the word "fund" insert "and the sum of \$200,000 from the Twine Operating Fund".

On line 6, strike out the figures "\$401,657.00" and insert the figures "\$501,657.00".

Between line 40 and 41, insert the following:

"New Buildings to be erected only on authorization of the North Dakota Budget Board".

"Administration Building (\$100,000 from the General Fund and \$200,000 from the Twine Operating Fund) \$300,000.00".

On line 67, strike out the figures "\$519,657.00" and insert the figures "\$819,657.00".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

In line 7, change "incl." to read "including."

In line 36, change "Bldgs." to read "Buildings."

In line 44, change "Bldg." to read "Building."

In line 45, after the word Buildings and the colon add the following:

(To be Constructed only on Authorization by the Budget Board of the State of North Dakota).

In line 49, change "Sch." to read "School" and in the same line change "incl." to read "including".

In line 50, change "Equip." to read "Equipment".

In line 56, change "Equip." to read "Equipment."

And when so amended recommend the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 31, have had the same under consideration and recommend that the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same be amended as follows:

On page 1 in line 2 of the Title after the word "state" strike out the balance of the line and the word "corporation" in line 3, and insert in lieu thereof the following: "as trustee of the permanent school fund".

In line 4 of the title strike the semi-colon after the word "conveyance" and insert the following: "and providing penalty for failure to do so".

On page 2, line 3, after the word "Dakota" insert the following: "as trustee of permanent school fund".

In line 3 after the word "benefit" strike the words "of any department".

Strike all of line 4 up to and including the word "corporation".

Line 14 strike the comma after the word "contract" and also the word "but" in the same line and all of lines 15 and 16 and insert in lieu thereof the following: "and failure to do so shall make the Commissioner of school lands personally liable in a civil action to be brought by the state's attorney of the county wherein the land lies; against such Commissioner for the amount of the taxes that would have been levied had such notice been given as herein provided".

In line 39 after the word "provided" strike the balance of the line and in line 40 strike the words "officer acting for".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 53, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Banks and Banking to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same do pass and be re-referred to the Committee on Appropriations.

M. J. RASCHKO, Chairman.

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 120, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 128, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 141, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 152, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Concurrent Resolution "Q", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "Q" be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; naye, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Schrock
Bridston	Morgan	Semerad

Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

### FIRST READING OF SENATE BILLS

Senators Bridston, Thatcher and Page (Approved by the Delayed Bills Committee), introduced:

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Was read the first time and referred to the Committee on Insurance.

Senator Brunsdale moved that the action whereby Senate Bill No. 151 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Shure moved that the action by which Senate Bill No. 126 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Shure moved that Senate Bill No. 126 be referred to the Committee on Corporations, which motion prevailed.

Senator Brunsdale moved that Senate Bill No. 151 be placed on the calendar, which motion prevailed.

Senator Day moved that Senate Bill No. 92 be placed on the calendar, which motion prevailed.

Senate Bill No. 82. A Bill for an Act Making It Unlawful to Hunt or Pursue Game on Farm Lands Without the Written Consent of the Owner or Occupant, and Repealing Sections 20-0115, 20-0116, 20-0117, 20-0118, 20-0119, and 20-0120 of the North Dakota Revised Code of 1943.

Was read the second time.

Senator Dahlen moved that Senate Bill No. 82 be indefinitely postponed.

Senator Streibel moved that Senate Bill No. 82 be amended as follows:

In the title of the Bill, at the end of the second line, delete the comma, and insert a period. Strike out all of line 3, 4 and 5.

In line 4 of the printed Bill, after the word "procuring" add the word "consent".

Strike all of line 5 after the word "occupant".

Strike all of Section 2, and insert in lieu thereof: "Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine not

exceeding \$100.00 or imprisonment in the County jail for not more than thirty days, or by both such fine and imprisonment”.

Senator Braun moved that the motion of Senator Streibel be laid on the table, which motion, on a standing vote, prevailed.

Senator Streibel demanded a roll call, which was granted.

ROLL CALL

The question being on the motion of Senator Braun, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Bond	Feton	Oksendahl
Brant	Flatt	Olson, Barnes
Braun	Foss	Raschko
Bridston	Frojen	Rue
Brunsdale	Krenz	Shure
Conrad	Morgan	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	O'Brien	Young

Those voting in the negative were:

Beaton	Lynch	Reinke
Bilden	Nelson, McKenzie	Schrock
Greiser	Nordhougen	Semerad
Kamrath	Olson, McHenry	Streibel
Kehoe	Olson, Mountrail	Stucke
Leno	Page	Thatcher
Lofthus	Peterson	Wahlund

Absent and not voting:

Blank	Murry
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So the motion was declared carried and Senate Bill No. 82 was declared laid on the table.

Senator Flatt: “Mr. President: I am a farmer and the farmers’ friend; I also have a lot of friends who hunt and who like to use my farm to hunt on. I don’t like to embarrass them by making them ask my permission.”

SECOND READING OF SENATE BILLS

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Lofthus	Raschko
Braun	Kamrath	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Stucke

Day	Nelson, McKenzie	Thatcher
Drew	Nordhogen	Troxel
Feton	O'Brien	Wahlund
Foss	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Frojen		
Those voting in the negative were:		
Beaton	Olson, McHenry	Semerad
Greiser	Olson, Mountrail	Streibel
Leno		

Absent and not voting:

Blank	Murry	Young
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilder	Kamrath	Peterson
Blank	Kehoe	Reinke
Bond	Leno	Rue
Brant	Lynch	Schrock
Braun	Morgan	Shure
Bridston	Murry	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Conrad	Steele	Thatcher
Dahlen	Nelson, McKenzie	Troxel
Day	Nordhogen	Wahlund
Drew	Oksendahl	Wog
Feton	Olson, Mountrail	Work
Frojen	Olson, McHenry	Young

Absent and not voting:

Flatt	Lofthus	Raschko
Foss	O'Brien	Semerad
Krenz	Olson, Barnes	

So the bill passed and the title was agreed to.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Reinke
Bond	Leno	Rue

Brant	Lynch	Schrock
Braun	Morgan	Shure
Bridston	Nelson, Griggs-	Stucke
Brunsdale	Steele	Thatcher
Conrad	Nelson, McKenzie	Troxel
Dahlen	Nordhougen	Wahlund
Day	Oksendahl	Wog
Drew	Olson, Mountrail	Work
Feton	Page	Young
Frojen		

Those voting in the negative were:

Beaton	Olson, McHenry	Streibel
Greiser		

Absent and not voting:

Flatt	Lofthus	Olson, Barnes
Foss	Murry	Raschko
Krenz	O'Brien	Semerad

So the bill passed and the title was agreed to.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Feton	Olson, Barnes
Bilden	Flatt	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Morgan	Reinke
Braun	Murry	Rue
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Schrock
Conrad	Nordhougen	Wog
Dahlen	O'Brien	Young
Day	Oksendahl	Work

Those voting in the negative were:

Drew	Nelson, McKenzie	Stucke
Leno	Olson, McHenry	Troxel
Lofthus	Olson, Mountrail	Wahlund
Lynch	Streibel	

Absent and not voting:

Foss	Greiser	Shure
Frojen	Kamrath	Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that Senate Bill No. 92 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 17; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Lofthus	Reinke
Bilden	Lynch	Rue
Blank	Murry	Schrock
Braun	Nelson, Griggs-	Semerad
Bridston	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Frojen	Nordhogen	Thatcher
Greiser	Olson, McHenry	Troxel
Kamrath	Olson, Mountrail	Wahlund
Kehoe	Page	Wog
Leno	Peterson	Young

Those voting in the negative were:

Bond	Feton	Oksendahl
Brant	Flatt	Olson, Barnes
Brunsdale	Foss	Raschko
Conrad	Krenz	Shure
Dahlen	Morgan	Work
Drew	O'Brien	

So the bill passed and the title was agreed to.

Senate Bill No. 169. A Bill for an Act Providing for the Sale of Beer, Alcohol and Alcoholic Beverages by Wholesalers for Cash; Providing That No Right of Action Shall Exist to Collect Any Claim for Credit Extended Contrary Hereto; Providing for Acts Which Shall Be Considered Violations of This Regulation; Providing for Reporting of Checks Returned for Non-payment and Prohibiting Sales of Retailers Giving Such Checks and Providing a Penalty for Violation Hereof.

Was read the second time.

Senator Kehoe moved to amend Senate Bill No. 169 as follows:

1. By striking out all after the word "beer" in the first line of the title and down to and including the word "wholesalers" in the 2nd line of the title, and inserting in lieu thereof the following words:

"any article of personal property."

2. By striking out the words "no wholesaler" in Line 1 of the printed bill and all of line 2, and the word "beverages" in line 3 of the printed bill, and inserting in lieu thereof the following:

"no owner of personal property shall sell all or any part thereof".

3. By striking out the words "a wholesaler" in line 7 of the printed bill and inserting in lieu thereof the following words:

"any such owner".

4. By striking out all of Section 5 of the printed bill, and  
5. That the lines and sections be renumbered accordingly.

Which motion, on a standing vote, prevailed.

Senator Morgan moved that Senate Bill No. 169 be indefinitely postponed, which motion prevailed.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young

Those voting in the negative were:

Beaton Drew

Absent and not voting:

Bridston Kehoe Morgan

So the bill passed and the title was agreed to.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Was read the second time.

Senator Braun moved that Senate Bill No. 193 be amended as follows: In line 15 of the printed Bill, after the period, insert the following: "The State Auditor shall file same alphabetically as to Counties," which motion prevailed.

Senator Braun moved that the rules be suspended, that Senate Bill No. 193 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended on the floor, the roll was called and there were ayes, 30; nays, 14; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Feton	Olson, Barnes
Bond	Flatt	Page

Brant	Foss	Raschko
Braun	Frojen	Rue
Bridston	Krenz	Shure
Brunsdale	Lofthus	Thatcher
Conrad	Lynch	Troxel
Dahlen	Murry	Wog
Day	O'Brien	Work
Drew	Oksendahl	Young
Those voting in the negative were:		
Bilden	Nordhougen	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke
Morgan	Peterson	Wahlund
Nelson, McKenzie	Reinke	
Absent and not voting:		
Blank	Nelson, Griggs-	Schrock
Greiser	Steele	
Kehoe		

So the bill passed and the title was agreed to.

Senator Young moved that Senate Bill No. 198 be laid over one legislative day, which motion prevailed.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:		
Beaton	Kamrath	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		
Absent and not voting:		
Blank	Murry	Schrock
Kehoe		

So the bill passed and the title was agreed to.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	Nordhougen	Stucke
Dahlen	O'Brien	Thatcher
Day	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog
Flatt	Olson, Mountrail	Work
Frojen	Page	Young

Absent and not voting:

Blank	Murry	Schrock
Foss	Nelson, Griggs-	
Kehoe	Steele	

So the bill passed and the title was agreed to.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Was read the second time.

Senator Troxel moved that Senate Concurrent Resolution No. 12 be adopted, which motion prevailed.

Senator Brunsdale moved that Senate Bill No. 151 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 20; nays, 20; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Frojen	Raschko
Bilden	Krenz	Rue
Brant	Morgan	Thatcher
Bridston	Nelson, Griggs-	Troxel
Day	Steele	Wog
Feton	Oksendahl	Work
Flatt	Olson, Barnes	Young

Those voting in the negative were:

Bond	Lynch	Reinke
Conrad	Nelson, McKenzie	Semerad
Dahlen	O'Brien	Shure
Drew	Olson, McHenry	Streibel

Greiser	Olson, Mountrail	Stucke
Kamrath	Page	Wahlund
Lofthus	Peterson	
Absent and not voting:		
Blank	Foss	Murry
Braun	Kehoe	Nordhougen
Brunsdale	Leno	Schrock

So the bill lost.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 14; absent and not voting, 10.

Those voting in the affirmative were:

Bilden	Feton	Oksendahl
Bond	Flatt	Olson, Barnes
Brant	Frojen	Rue
Braun	Kamrath	Shure
Brunsdale	Krenz	Troxel
Conrad	Lofthus	Wog
Dahlen	Morgan	Work
Day	O'Brien	Young
Drew		

Those voting in the negative were:

Greiser	Page	Streibel
Lynch	Peterson	Stucke
Nelson, McKenzie	Raschko	Thatcher
Olson, McHenry	Reinke	Wahlund
Olson, Mountrail	Semerad	

Absent and not voting:

Beaton	Kehoe	Nelson, Griggs-
Blank	Leno	Steele
Bridston	Murry	Nordhougen
Foss		Schrock

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 16, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the Sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, February 16, 1945

Mr. President: I have the honor to return:

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal In-

stitutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 16, 1945

Mr. President: I have the honor to return:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 16, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Which the House has passed and your favorable consideration is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FORTY-SEVENTH DAY

Bismarck, February 17, 1945

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by the Chaplain, Rev. Paul G. Hayes, of Bismarck.

Roll call: All Senators present except Senators Foss, Greiser, Olson of Barnes, Schrock and Stucke.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-sixth day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 10.  
Senate Bill No. 171.  
Senate Bill No. 198.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 4.  
Senate Bill No. 7.  
Senate Bill No. 10.  
Senate Bill No. 18.  
Senate Bill No. 20.  
Senate Bill No. 63.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass as amended by the Senate Appropriations Committee.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 60, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

In line 20, after the word "monthly" insert the following language:

"by the Superintendent of the North Dakota State Hospital".

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same be amended as follows:

In line 6 and 7 of the title of the engrossed bill, strike out the language "from the Veterans Post-War Rehabilitation Reserve Fund".

In line 46, strike out the language "the Veterans Post-War Rehabilitation Reserve Fund" and insert the language "any funds in the State Treasury not otherwise appropriated."

And when so amended recommend the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections, to whom was referred Senate Bill No. 86, have had the same under consideration and recommend that the same be amended as follows:

In the 5th line of the title of the original bill strike out the words "or for any other office".

In line 7 of the original bill after the first word "office" insert a period and strike out the rest of the line.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections, to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title of the printed bill strike out the semi-colon and the rest of the line and insert in lieu thereof a period.

In line 18 of the printed bill after the word "days" insert the following language:

"and before five o'clock p.m. on the seventieth day".

In line 99 of the printed bill strike out the words "the

names" strike out all of line 100, all of 101 and 102 up to and including the period.

In line 177 strike out everything after and including the period, strike out all of lines 178, 179, and 180 and insert in lieu thereof the following language:

"and not later than five o'clock p.m. on the twenty-fifth day."

In line 369 of the printed bill after the comma, insert the following language:

"and the affidavit thereon shows that it has been voted on or before election day"

In line 370 strike out the words "at any" strike out all of lines 371, 372, 373, 374, and 375 and insert in lieu thereof the following:

"at their regular meeting or at any adjourned meeting to be held not more than twenty days after the election."

Strike out all of lines 386, 387, 388, and 389.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the report of the Committee on Temperance on Senate Bill No. 109 be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways, to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 184, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same be amended as follows:

Line 8: Strike out the words "have proved" and insert in lieu thereof the word "served".

Line 10: after the word "shall" strike out "be subject to the following restrictions:" and substitute in lieu thereof: "have the authority;"

Line 11: After the figures "1.", strike out "Such carrier may" and substitute in lieu thereof the word "To".

Beginning with the word "Such" after the figures "2.", line 20, strike out all of lines 20, 21, 22 and up to the word "may", line 23 inclusive.

In Line 23, before the word "specify" insert the word "To".

In Line 25, change the period after the word "carrier" to a comma and add the following: "by tariff publication, subject to the approval of the Commission."

NOTE: When so amended, sub-section 2 beginning with line 20, will read as follows: "2. To specify minimum shipments which the carrier shall be obliged to carry, by tariff

publication, subject to the approval of the Commission."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance, to whom was referred Senate Bill No. 190, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 191, have had the same under consideration and recommend that the same be amended as follows:

Page 1, line 2 in the Title after the figure "13" strike out the word "and" and following the figure "15" in the same line insert the following: "and 16".

Page 2, line 50 after the word "auditor" insert the following: "but interest or dividends paid by Building and Loan Associations on their shares is a deductible item in arriving at their net income".

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ruè moved that the Committee Report on Senate Bill No. 192 be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 196, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same be amended as follows:

In line 13, strike out the word "twenty" and insert the word "thirty".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rue moved that the Committee Report on Senate Bill No. 208 be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 209, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Brunsdale moved that action on the Committee Report on Senate Bill No. 209 be deferred until the Bill is printed, which motion prevailed.

Mr. President: Your Committee on Judiciary, to whom was referred Senate Concurrent Resolution No. 5, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Braun moved that action on the Committee Report on Senate Concurrent Resolution No. 5 be laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred Senate Concurrent Resolution 9, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred House Bill No. 107, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 153, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 156, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Concurrent Resolution "D", have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the House be requested to return House Bills 16, 20 and 23, which motion prevailed.

Senator Kehoe moved that the House be requested to return House Bills No. 116, 117 and 118, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bills No. 16, 20, 23, 116, 117 and 118.

W. J. TROUT, Secretary.

Senator Dahlen requested the consent of the Senate to withdraw Senate Bill No. 171, which request was granted.

Senator Shure moved that an Interim Committee of five be appointed, with the Lieutenant Governor as Chairman, to study the Rules of the Senate and present a revised set of Rules to the 1947 Session, which motion, on a standing vote, lost.

Senator Blank moved that the Senate do now recess for a half hour, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, February 17, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 37 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Blair, Hovey and Levin.

KENNETH L. MORGAN, Chief Clerk.

The President announced the appointment of Senators Bond,

Morgan and Bridston as a conference committee to act with a like committee from the House, on House Bill No. 37.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 17, 1945

Mr. Speaker: I have the honor to inform you that the Senate has appointed as a Conference Committee to act with a like committee from the House on House Bill No. 37, Senators Bond, Morgan and Bridston.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills No. 15, 16, 23, 51 and 81.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 17, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 193. A Bill for an Act Requiring Reports

to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 17, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Bismarck, February 17, 1945  
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or

Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, and Providing Exceptions.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township supervisors, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act County, State and Federal Highways, and Repealing All Laws and Parts of Laws in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of Outstanding Feed and Seed Loans by Payment of Twenty-five Per Cent of the Principal.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to return:  
Senate Bill No. 41. A Bill for an Act Relating to the  
Authorization of a Two Mill Levy for the Care, Maintenance,  
and Improvement of Cemeteries by Organized Townships,  
Villages and Cities of the State of North Dakota.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to return:  
House Bill No. 16. A Bill for an Act Making an Approp-  
riation for the General Maintenance, Improvements and  
Repairs, New Buildings, Equipment and Miscellaneous Items  
for the Grafton State School at Grafton, North Dakota.

House Bill No. 20. A Bill for an Act Making an Approp-  
riation for the General Maintenance, Improvements and  
Repairs, New Buildings and Equipment for the Tuberculosis  
Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Approp-  
riation for the General Maintenance, Improvements and  
Repairs, New Building and Equipment of the State Hospital  
for the Insane at Jamestown, North Dakota.

House Bill No. 116. A Bill for an Act Relating to Property  
of Deceased Persons and Providing for the Payment or  
Delivery Thereof to Certain Representatives of Certain  
Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-  
enact Section 30-0213 of the North Dakota Revised Code of  
1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-  
enact Section 30-0802 of the North Dakota Revised Code of  
1943, Relating to Persons Entitled to Letters of Administra-  
tion.

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

The President announced that the Senate would be on the  
eleventh order of business.

Senate Flatt moved that the Senate do concur in the House  
amendment to Senate Bill No. 41, which motion prevailed.

Senator Flatt moved that the rules be suspended, that  
Senate Bill No. 41 be considered properly re-engrossed, and  
placed upon second reading and final passage as amended  
by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act Relating to the  
Authorization of a Two Mill Levy for the Care, Maintenance,  
and Improvement of Cemeteries by Organized Townships,  
Villages and Cities of the State of North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 29; nays, 10; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Frojen	Raschko
Bond	Kamrath	Rue
Bilden	Kehoe	Streibel
Blank	Krenz	Thatcher
Bridston	Lynch	Troxel
Brunsdale	Morgan	Wahlund
Dahlen	Nordhogen	Wog
Day	O'Brien	Work
Drew	Olson, Mountrail	Young
Flatt	Page	

Those voting in the negative were:

Brant	Oksendahl	Reinke
Conrad	Olson, McHenry	Semerad
Lofthus	Peterson	Shure
Nelson, McKenzie		

Absent and not voting:

Braun	Leno	Olson, Barnes
Feton	Murry	Schrock
Foss	Nelson, Griggs-	Stucke
Greiser	Steele	

So the bill passed and the title was agreed to.

Senator Streibel moved that Senate Bill No. 163 be laid over one legislative day, which motion prevailed.

Senate Bill No. 170. A Bill for an Act for Prohibiting Minors Under Eighteen Years of Age from Loitering or Working in Any Place Where Intoxicating Liquors Are Sold, or Loitering on the Streets, Alleys, Parks, or Public Place of Any City, Village, or Town After Ten o'Clock P.M. Prescribing Punishment.

Was read the second time.

Senator Olson of Mountrail moved that Senate Bill No. 170 be amended as follows: Strike out all of Section 2, which motion prevailed.

Senator Kehoe moved that Senate Bill No. 170 be amended as follows: Insert the word "wilfully" after the word "who" in line 11 of the printed Bill, which motion prevailed.

Senator Kehoe moved that Senate Bill No. 170 be further amended as follows: In line 11 strike out the last letter "s" in the word "sections", the word "and" and the figure "2"; strike out the figure "2" in Section 4.

Senator O'Brien made a substitute motion that Senate Bill No. 170 be indefinitely postponed.

Senator Brunsdale moved that Senate Bill No. 170 be laid over one legislative day, which motion prevailed.

## FIRST READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Public Lands.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, and Providing Exceptions.

Was read the first time and referred to the Committee on Game and Fish.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Game and Fish.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 194. A Bill for an Act Authorizing Admin-

istration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Was read the first time and referred to the Committee on Counties.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township supervisors, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act County, State and Federal Highways, and Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the first time and referred to the Committee on Counties.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Was read the first time and referred to the Committee on State Affairs.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Was read the first time and referred to the Committee on Ways and Means.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of Outstanding Feed and Seed Loans by Payment of Twenty-five Per Cent of the Principal.

Was read the first time and referred to the Committee on State Affairs.

Senator Young moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- Senate Bill No. 4.
- Senate Bill No. 7.
- Senate Bill No. 10.
- Senate Bill No. 18.
- Senate Bill No. 20.
- Senate Bill No. 63.

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE GOVERNOR  
State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, February 17, 1945

To the Senate of the State of North Dakota:

This is to notify you that I have approved the following Senate Bills:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

And the same has been filed with the Secretary of State.

Very respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that the Senate reconsider the action by which House Bill No. 16 was passed, which motion prevailed.

Senator Young moved that the Senate reconsider the action by which House Bill No. 20 was passed, which motion prevailed.

Senator Young moved that the Senate reconsider the action by which House Bill No. 23 was passed, which motion prevailed.

Senator Young moved that House Bills Nos. 16, 20, 21, 22 and 23 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Kehoe moved that the action by which House Bill No. 116 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Kehoe moved that the action by which House Bill No. 117 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Kehoe moved that the action by which House Bill No. 118 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Kehoe moved that House Bills Nos. 116, 117 and 118 be re-referred to the Judiciary Committee, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 1 p. m., Monday, February 19, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SEVENTH DAY AFTER RECESS  
AND FORTY-NINTH DAY

Bismarck, February 19, 1945

The Senate convened at 1:00 p. m., pursuant to recess taken, the President presiding.

Senator Day moved that Senate Bill No. 163 be placed at the foot of the calendar, which motion prevailed.

The President Pro-tem was called to the chair.

SECOND READING OF SENATE BILLS

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	Oksendahl
Bilden	Frojen	Page
Blank	Kehoe	Raschko
Brant	Krenz	Rue
Braun	Leno	Schrock
Brunsdale	Morgan	Stucke
Dahlen	Murry	Thatcher
Day	Nelson, Griggs-	Wahlund
Drew	Steele	Work
Feton	O'Brien	Young
Flatt		

Those voting in the negative were:

Bond	Nordhogen	Semerad
Conrad	Olson, Barnes	Shure
Kamrath	Olson, McHenry	Streibel
Lofthus	Olson, Mountrail	Troxel

Lynch Peterson Wog  
 Nelson, McKenzie Reinke

Absent and not voting:

Bridston Greiser

So the bill passed and the title was agreed to, and the emergency clause lost.

Senator Rue moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President resumed the chair.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Foss	Raschko
Blank	Kehoe	Rue
Brant	Krenz	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, Griggs-	Thatcher
Conrad	Steele	Troxel
Dahlen	O'Brien	Wog
Day	Oksendahl	Work
Feton	Olson, Barnes	Young
Flatt	Page	

Those voting in the negative were:

Bilden	Lofthus	Peterson
Bond	Murry	Reinke
Drew	Nelson, McKenzie	Streibel
Frojen	Nordhogen	Stucke
Kamrath	Olson, McHenry	Wahlund
Leno	Olson, Mountrail	

Absent and not voting:

Greiser

So the bill passed and the title was agreed to and the emergency clause lost.

Senator Day moved that the vote by which Senate Bill No. 206 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that further consideration of Senate Concurrent Resolution No. 10 be indefinitely postponed, which motion, on a standing vote, lost.

Senator Flatt moved that Senate Concurrent Resolution No. 10 be amended as follows: In line 21 of the printed Resolution after the word "County" insert the following language "without increased jurisdiction, and", which motion prevailed.

Senator Rue moved that Senate Concurrent Resolution No. 10 be amended as follows: In line 12 of the engrossed Resolution strike the word "two" and insert the word "four", which motion lost.

Senator Flatt moved that the rules be suspended, that Senate Concurrent Resolution No. 10 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Concurrent Resolution No. 10. A Concurrent Resolution Providing for the Amendment of Section 173 of the Constitution of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 16; nays, 31; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kehoe	Olson, Barnes
Blank	Murry	Page
Brant	Nordhousen	Stucke
Day	O'Brien	Thatcher
Flatt	Oksendahl	Wog
Foss		

Those voting in the negative were:

Beaton	Leno	Reinke
Bond	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Troxel
Feton	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Work
Kamrath	Peterson	Young
Krenz	Raschko	

Absent and not voting:

Braun	Greiser
-------	---------

So the Resolution was declared lost.

Senator Bridston moved that the vote by which Senate Concurrent Resolution No. 10 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

The President announced that the Senate would be on the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Elections to whom was referred Senate Bill No. 62, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the attached:

For an Act to amend and re-enact Section 40-2410 of the North Dakota Revised Code of 1943, authorizing municipalities to assume a limited general obligation for the payment of the cost of local improvements; providing for the levy and collection of general taxes to meet such limited obligation; limiting the amount of taxes to be levied in any one year; creating a trust fund; providing that the act operate prospectively only; repealing a portion of Section 40-2608 of the North Dakota Revised Code of 1943, and all other acts in conflict therewith.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1. AMENDMENT.) That Section 40-2410  
2 of the North Dakota Revised Code of 1943 shall be  
2a amended

3 and re-enacted to read as follows:

4 (1) That any municipality shall have the power  
5 within its constitutional debt limit to assume and incur  
6 a general municipal obligation not to exceed one-fifth  
7 of the total contract price of any local improvement made  
8 within any improvement district created by it, other than  
9 sidewalks, opening and widening of streets, sewer or  
9a water

10 main connections from main to the curb line. Such  
10a general

11 obligations may be assumed or incurred when the contract  
12 for the construction of any local improvement is entered  
13 into at any time thereafter whenever it shall appear to  
14 the satisfaction of the governing body of the city that  
15 the total amount of money in any special fund derived  
16 from special assessments levied for special benefits to  
17 pay the cost of improvements made in any improvement  
18 district is, for any cause, insufficient for the payments,  
19 in full, of all warrants, with accrued interest, as the  
20 same mature which are drawn upon any special fund  
20a estab-

21 lished for such improvement district.

22 (2) In the event a deficiency exists in any  
23 special improvement fund after the last warrant matures,  
24 the municipality shall levy a general tax upon all of the  
25 taxable property within the municipality sufficient to  
26 raise an amount equal to but not to exceed one-fifth of  
27 the total contract price of any local improvement, or so  
28 much thereof as may be necessary to pay such  
28a deficiency with

29 interest, provided, however, that the municipality shall  
30 not levy more than a total of 3 mills in one year for all  
31 special improvement district funds for which levies may  
32 be made hereunder and all moneys derived from such  
32a levies

33 shall be allocated to the fund, or funds, in accordance  
34 with the levy therefor.

35 (3) That such general tax shall be levied at  
36 the time provided by law for the levy of general municipal  
37 taxes; that in levying such general tax the municipality  
38 shall name the improvement district, or districts, for  
39 which such tax is levied and when such tax is so levied it  
40 shall be certified to the county auditor at the time and in  
41 the manner provided by law for the certification  
42 of taxes levied for municipal purposes, and such  
43 tax shall be spread upon all of the taxable property  
44 within such municipality in the same manner as other  
45 taxes are extended upon the tax rolls thereof.

46 (4) That the general taxes levied pursuant  
47 to this act shall be collected and remitted to the  
48 treasurer of the municipality as other general  
49 municipal taxes are collected and remitted; that upon  
50 receipt thereof the treasurer shall credit the same to  
51 the fund, or funds, as follows: (a) where the general  
52 obligation is assumed at the time the contract for  
53 the local improvement is made, general taxes levied to  
54 provide funds for the payment of such obligation, shall  
55 be credited to the special fund, or funds, created for  
56 the improvement district for which such general taxes  
57 were levied, for the payment of warrants, with accrued  
58 interest, drawn upon such fund and for no other purpose;  
59 (b) where such general obligation is assumed by the  
60 municipality after the contract for the local improvement  
61 is made to meet deficiencies existing in special funds,  
62 he shall establish a separate fund for the improvement  
63 district for which a general tax may be levied, which  
64 which shall be designated as "trust fund" for such  
64a district,  
65 and thereafter he shall credit all moneys derived from  
66 general taxes levied for such improvement district to  
67 such "trust fund" which shall be disbursed only in the  
68 manner provided for herein.

69 (5) That all general taxes levied after the  
70 contract for local improvement has been made to meet  
71 deficiencies existing in any special fund of any  
72 improvement district, shall be levied to create a "trust  
73 fund" for the common use benefit of the holders of all  
74 warrants drawn upon any special fund, which remain  
47a unpaid

75 at the time when the first general taxes are levied  
76 pursuant to this act; that all of the moneys derived  
77 from such general tax when credited to such "trust fund"  
78 shall be paid out and disbursed on a pro rata basis to  
79 the holders of warrants entitled thereto, only after all  
80 the improvement warrants drawn upon the special fund of  
81 the improvement district, wherein such "trust fund" has  
82 been established, shall have matured; that the residue,  
83 if any, remaining in any special or "trust fund" after the  
84 warrants, with accrued interest, drawn upon such special  
85 fund have been paid in full shall be transferred by the  
86 governing body to the general fund of the municipality.

87 SECTION 2. That the provisions of this act  
88 shall operate prospectively only and shall not be  
89 construed to applied to impair the obligation of contract

90 or to destroy any vested rights which may have been  
 91 acquired under the acts repealed hereby.  
 92 SECTION 3. REPEAL.) That Section 40-2608  
 93 of the North Dakota Revised Code of 1943, and all other  
 94 acts in conflict therewith, are hereby repealed.

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the Committee Report on Senate Bill No. 103 be printed in full in the Journal and action laid over one legislative day, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted.

Senator Nordhougen made a substitute motion that Senate Bill No. 109 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Corporations to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 159, have had the same under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections, to whom was referred Senate Bill No. 200, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the original bill strike out the word "consolidated".

In line 16 of the original bill, strike out the word "May" and insert in lieu thereof the word "March".

And when so amended recommend the same be placed on the calendar without further recommendation.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred Senate Bill No. 207, have had the same under

consideration and recommend that the same be amended as follows:

Page 1 line 6 after the word "baseball" insert a comma and add the following words: "Horse shows and rodeos"

Page 1, line 8 after the word "be" strike out the word "played" and insert in lieu thereof the words "engaged in"

Page 1, line 10 after the word "if" strike out the word "played" and in lieu thereof insert the word "staged"

Page 1, line 9 strike the word "Sabbath" and in line 10 the word "day" and insert in lieu thereof the words "first day of the week"

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Dahlen made a substitute motion that the Committee Report on Senate Bill No. 207 be indefinitely postponed, which motion lost.

The question being on the adoption of the Committee Report on Senate Bill No. 207, which motion prevailed and the report was adopted.

Senator Kehoe moved that the Committee Report on Senate Concurrent Resolution No. 5 be adopted and that the Resolution be indefinitely postponed.

Senator Streibel made a substitute motion that Senate Concurrent Resolution No. 5 be placed on the calender, which motion prevailed.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Olson of Barnes moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FORTY-NINTH DAY

Bismarck, February 19, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Joseph Bachman, of Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-seventh day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following bills:

Senate Bill No. 47.

Senate Bill No. 79.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 32.  
Senate Bill No. 69.  
Senate Bill No. 86.  
Senate Bill No. 93.  
Senate Bill No. 197.  
Senate Bill No. 186.  
Senate Bill No. 191.  
Senate Bill No. 192.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same be placed on the calendar without recommendation and re-referred to Appropriations Committee.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 160, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 196, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 198, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 230, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom

was referred House Concurrent Resolution "M", have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the resolution after the word "of" insert the following:

"all accrued interest charges on".

In line 3 of the title after the word "loans" insert a period and strike out the balance of line 3 and all of line 4.

In line 34, after the word "permitting" insert the following: "the cancellation of all accrued interest on".

In line 34 strike out the word "during" and all of lines 35, 36 and 37, and insert in lieu thereof the words "prior to 1943" and insert a period (.) thereafter.

Renumber all lines.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that Senate Bill No. 163 be placed at the foot of the calendar, which motion prevailed.

Senator Kehoe requests of the Senate to withdraw his pending motion to amend Senate Bill No. 170, which request was granted.

Senator O'Brien: "Mr. President: My objection to Senate Bill No. 170 is that it cannot be enforced and that it will make lawbreakers out of half the people who live in our smaller communities. The amendments adopted have done little to improve the Bill; to my way of thinking it is still utterly impracticable. I, therefore, move that further consideration of Senate Bill No. 170 be indefinitely postponed."

The question being on the motion of Senator O'Brien, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Feton	Oksendahl
Bilden	Flatt	Olson, Barnes
Blank	Foss	Page
Bond	Frojen	Raschko
Brant	Kamrath	Rue
Braun	Kehoe	Schrock
Bridston	Morgan	Troxel
Brunsdale	Murry	Wahlund

Conrad	Nelson, Griggs-	Wog
Dahlen	Steele	Work
Day	O'Brien	Young
Drew		

Those voting in the negative were:

Greiser	Nordhougen	Semerad
Krenz	Olson, McHenry	Shure
Leno	Olson, Mountrail	Streibel
Lofthus	Peterson	Stucke
Lynch	Reinke	Thatcher
Nelson, McKenzie		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which Senate Bill No. 151 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Flatt moved that Senate Bill No. 109 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages, Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Senator Flatt moved that Senate Bill No. 109 be amended as follows:

In lines 132 to 136 of the original bill be amended to read as follows:

"The Tax Commissioner may appoint not more than five (5) inspectors, who shall assist in the enforcement of the laws of this state relating to the sale of beer, alcohol or alcoholic beverages, and the other laws of this state under the jurisdiction of the Tax Commissioner. They".

Renumber all lines accordingly, which motion prevailed.

Senator Flatt moved that action on Senate Bill No. 109 be laid over until the Bill has been re-engrossed, which motion prevailed.

Senator Young moved that Senate Bill No. 198 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Was read the second time.

Senator Day moved that Senate Concurrent Resolution No. 13 be amended as follows: In line 5, after the word

"County" insert the words "and State", which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Concurrent Resolution No. 13 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	O'Brien	Thatcher
Day	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog
Flatt	Olson, Mountrail	Work
Foss	Page	Young
Frojen		

Those voting in the negative were:

Greiser

Absent and not voting:

Nelson, Griggs-  
Steele Nordhougen

So the Resolution passed and the title was agreed to.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that House Bills Nos. 30, 31, 46, 53, 120, 128, 137, 138, 141 and 171 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel

Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Flatt

So the bill passed and the title was agreed to.

Senator O'Brien moved that the vote by which Senate Bill No. 32 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day: "Mr. President: I am voting 'aye' on this Bill although I feel we are making a serious mistake in cutting it down from five million to one million dollars, at a time when the State has a surplus in its treasury as large as at the present time. It seems unwise to me to tempt the legislators and those who are spending money when we should set this money aside for the veteran and for the benefit of veterans' programs."

Senator Brunsdale moved that action on Senate Bill No. 67 be laid over until the Bill is re-engrossed, which motion prevailed.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Keiho	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Flatt Shure

So the bill passed and the title was agreed to.

Senator O'Brien moved that the vote by which Senate Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Blank	Foss	Page
Bond	Frojen	Raschko
Brant	Kehoe	Reinke
Braun	Krenz	Rue
Bridston	Lofthus	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Thatcher
Day	Steele	Troxel
Drew	O'Brien	Wog
Feton	Oksendahl	Work
Flatt	Olson, Barnes	Young

Those voting in the negative were:

Beaton	Lynch	Peterson
Bilden	Nelson, McKenzie	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Wahlund
Leno		

Absent and not voting:

Nordhogen

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which Senate Bill No. 86 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Streibel moved that after the second reading of Senate Bills No. 93 and 198 the Senate recess, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter

20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Semerad

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bond	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel

Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:  
Semerad

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bilden moved that the vote by which Senate Bill No. 135 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston: "Mr. President: Seeing that the Grand Forks delegation usually votes together, I vote 'aye'."

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Kamrath	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young requested the unanimous consent of the Senate to introduce a bill, which request was granted.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 Revised Code 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the Revised Code

of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Was read the second time.

Senator Beaton moved that further consideration of Senate Bill No. 189 be indefinitely postponed, which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Murry	Semerad
Bridston	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Frojen	Olson, Barnes	Wahlund
Greiser	Olson, McHenry	Wog
Kamrath	Page	Work
Kehoe	Peterson	

Those voting in the negative were:

Beaton	Foss	Olson, Mountrail
Feton	Nelson, McKenzie	

Absent and not voting:

Brunsdale	Morgan	Young
Flatt		

So the bill passed and the title was agreed to.

Senator Murray moved that the vote by which Senate Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Frojen	Olson, McHenry
Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Troxel

Drew	O'Brien	Wog
Feton	Oksendahl	Work
Flatt	Olson, Barnes	Young
Foss		
Those voting in the negative were:		
Greiser	Olson, Mountrail	Thatcher
Leno	Streibel	Wahlund
Absent and not voting:		
Murry		

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 190 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 191. A Bill for an Act to Amend and Re-enact Sections 1, 2, 4, 6, 7, 10, 11, 12, 13, 15 and 16 of Chapter 57-35 of North Dakota Revised Code of 1943, Pertaining to Tax on Banks, Trust Companies, Building and Loan Associations, or Other Similar Local Mutual or Cooperative Thrift and Home Financing Institutions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Foss	Page
Blank	Frojen	Schrock
Bond	Kehoe	Thatcher
Brant	Krenz	Troxel
Bridston	Lynch	Wog
Brunsdale	Morgan	Work
Dahlen	Murry	Young
Day	Nelson, Griggs-	
Feton	Steele	

Those voting in the negative were:

Beaton	Nelson, McKenzie	Raschko
Braun	Nordhogen	Reinke
Conrad	O'Brien	Rue
Drew	Oksendahl	Semerad
Greiser	Olson, Barnes	Shure
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke
Lofthus	Peterson	Wahlund

Absent and not voting:

Flatt

So the bill was declared lost for lack of a constitutional majority.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Foss	O'Brien
Bilden	Frojen	Olson, Barnes
Blank	Kehoe	Raschko
Bond	Krenz	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Thatcher
Bridston	Morgan	Troxel
Brunsdale	Murry	Wog
Dahlen	Nelson, Griggs-	Work
Drew	Steele	Young

Those voting in the negative were:

Conrad	Nordhougen	Reinke
Day	Oksendahl	Semerad
Feton	Olson, McHenry	Shure
Greiser	Olson, Mountrail	Streibel
Kamrath	Page	Stucke
Leno	Peterson	Wahlund
Nelson, McKenzie		

Absent and not voting:

Flatt

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young requested that the Senate be on the seventh order of business, which request was granted.

#### FIRST READING OF SENATE BILL

Senators Young, Work and Peterson introduced:

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture and Livestock.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Foreclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Barnes
Bilden	Kamrath	Page

Blank	Kehoe	Peterson
Brant	Krenz	Raschko
Braun	Leno	Reinke
Bridston	Lothus	Rue
Brunsdale	Lynch	Shure
Conrad	Morgan	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wahlund
Drew	Nordhousen	Wog
Feton	O'Brien	Work
Flatt	Oksendahl	Young
Foss		

Those voting in the negative were:

Greiser	Olson, Mountrail	Streibel
Nelson, McKenzie	Schrock	Stucke
Olson, McHenry		

Absent and not voting:

Bond	Murry	Semerad
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which Senate Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 82.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

House Concurrent Resolution "G". A Concurrent Resolu-

tion Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that House Bill No. 66 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Kenoe	Peterson
Bond	Krenz	Raschko
Brant	Lofthus	Reinke
Brunsdale	Lynch	Rue
Braun	Murry	Schrock
Bridston	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young

Those voting in the negative were:

Greiser Leno

Absent and not voting:

Morgan Semerad Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bond moved that the vote by which House Bill No. 66 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Flatt	Olson, Barnes
Bilden	Foss	Page
Blank	Frojen	Raschko
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lofthus	Shure
Bridston	Morgan	Troxel
Brunsdale	Nelson, Griggs-	Wahlund
Dahlen	Steele	Wog
Day	O'Brien	Work
Feton	Oksendahl	Young

Those voting in the negative were:

Conrad	Lynch	Peterson
Drew	Murry	Reinke
Greiser	Nelson, McKenzie	Streibel

Kamrath	Olson, McHenry	Stucke
Kehoe	Olson, Mountrail	Thatcher
Absent and not voting:		
Nordhougen	Semerad	

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which Senate Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Drew	Oksendahl
Brant	Foss	Rue
Braun	Frojen	Schrock
Brunsdale	Kehoe	Shure
Conrad	Lynch	Stucke
Dahlen	Nelson, Griggs-	Thatcher
Day	Steele	Work

Those voting in the negative were:

Beaton	Morgan	Peterson
Blank	Murry	Raschko
Bond	Nelson, McKenzie	Reinke
Feton	Nordhougen	Semerad
Flatt	O'Brien	Streibel
Greiser	Olson, Barnes	Troxel
Kamrath	Olson, McHenry	Wahlund
Krenz	Olson, Mountrail	Wog
Leno	Page	Young

Lofthus

Absent and not voting:

Bridston

So the bill was lost.

Senator Young: "I vote 'no' for the purpose of reconsideration."

Senator Troxel requested that the Senate be on the fifth order of business, which request was granted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Agriculture and Livestock to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code

of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 31; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Lynch	Troxel
Blank	Nelson, McKenzie	Wahlund
Bond	Olson, McHenry	Wog
Brant	Streibel	Work
Kamrath	Stucke	Young
Kehoe	Thatcher	

Those voting in the negative were:

Beaton	Frojen	Oksendahl
Braun	Greiser	Olson, Barnes
Bridston	Krenz	Olson, Mountrail
Brunsdale	Leno	Page
Conrad	Lofthus	Peterson
Dahlen	Morgan	Raschko
Day	Murry	Reinke
Drew	Nelson, Griggs-	Semerad
Feton	Steele	Schrock
Flatt	Nordhougen	Shure
Foss	O'Brien	

Absent and not voting:

Rue

So the bill lost.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Work
Feton	Oksendahl	Young
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	

Those voting in the negative were:

Bilden	Leno	Stucke
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Greiser	Nordhougen	Wahlund
Kamrath	Peterson	
Absent and not voting:		
Rue		

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, prevailed.

Senator Stucke moved that Senate Bill No. 208 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Was read the second time.

Senator Brunsdale moved that Senate Concurrent Resolution No. 9 be amended as follows: In line 25, of the printed Resolution, strike out the word "act" and insert in lieu thereof the word "amendment", which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Concurrent Resolution No. 9 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bilden Rue

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS  
AND RESOLUTIONS

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

Was read the first time and referred to the Committee on Public Printing.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Was read the first time and referred to the Committee on Elections.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

Was read the first time and referred to the Committee on Counties.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

Was read the first time and referred to the Committee on Agriculture and Livestock.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Was read the first time and referred to the Committee on Military and Indian Affairs.

Senator Brunsdale moved that the Senate do now recess until 12:30 p. m., Tuesday, February 20, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-NINTH DAY AFTER RECESS  
AND FIFTIETH DAY

Bismarck, February 20, 1945

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The President announced the Senate would be on the fourteenth order of business.

The Secretary announced that the President was about to sign:

Senate Bill No. 47  
Senate Bill No. 79  
House Bill No. 17  
House Bill No. 42  
House Bill No. 50  
House Bill No. 51  
House Bill No. 56  
House Bill No. 82  
House Bill No. 101  
House Concurrent Resolution Q.

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appro-

priation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North

Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter

20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 Revised Code 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdic-

tion and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the House has passed over the Governor's veto and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 4  
Senate Bill No. 7  
Senate Bill No. 10  
Senate Bill No. 18  
Senate Bill No. 20  
Senate Bill No. 63

Were delivered to the Governor for his approval at the hour of 10:30 A.M. o'clock February 20, 1945:

W. R. BOND, Chairman.

Senator Foss moved that the Committee report on Senate Bill No. 103 be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same be amended as follows:

In line one of the original bill strike out the word "citizens".

In line 2 of the original bill after the word "organized" insert the following "within this state or elsewhere,"

And re-number the lines accordingly.

And when so-amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 136, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion, on a standing vote, lost.

Mr. President: Your Committee on Insurance, to whom

was referred Senate Bill No. 137, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Lofthus moved that Senate Bill No. 137 be indefinitely postponed.

Senator Bridston demanded a roll call, which was granted.

ROLL CALL

The question being on Senator Lofthus' motion, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Lynch	Schrock
Bilden	Murry	Semerad
Bond	Nelson, McKenzie	Shure
Brant	Nordhougen	Streibel
Conrad	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Kamrath	Olson, McHenry	Troxel
Kehoe	Olson, Mountrail	Wahlund
Krenz	Peterson	Wog
Leno	Reinke	Young
Lofthus	Rue	

Those voting in the negative were:

Braun	Flatt	Olson, Barnes
Bridston	Foss	Page
Brunsdale	Frojen	Raschko
Dahlen	Morgan	Work
Day	Nelson, Griggs-	
Feton	Steele	

Absent and not voting:

Blank	Greiser
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So the Committee Report on Senate Bill No. 137 was indefinitely postponed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Insurance to whom was referred Senate Bill No. 138, have had the same under consideration and recommend that the same do pass.

SENATOR PAGE, Chairman.

Senator Lofthus moved that the Committee Report on Senate Bill No. 138 be indefinitely postponed, which motion prevailed.

Senator Flatt moved that the Senate reconsider House Bill No. 84, which motion prevailed.

Senator Braun: "Mr. President: We, Senators Stucke, Peterson and Braun, ask permission of the Senate to withdraw Senate Bill No. 83. We do this far the reason that three Bills dealing with the subject of aid to dependent children, aid to the blind and aid to crippled children have already passed the House and are now in the hands of the Senate Appropriations Committee. A fourth Bill dealing with the subject of old age assistance is now in the House and will undoubtedly be presented to the Senate in the next day or two. When these Bills are presented to the Appropriations Committee and on the floor of the Senate it will be possible to amend them to incorporate all the matters now in this Bill."

The question being on the request of Senator Braun that the sponsors be allowed to withdraw Senate Bill No. 83, which request was granted.

Senator Bridston moved that the report of the Interim Investigating Committee be printed in the Senate Journal in the form of a supplement to the Journal, which motion prevailed.

Senator Bridston moved that five hundred copies of the Summary Report of the Interim Investigating Committee be printed as a supplement to the Journal.

#### ROLL CALL

The question being on Senator Bridston's motion, the roll was called and there were ays, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Greiser

So the motion prevailed.

Senator Bridston moved that one thousand extra copies of the complete report of the Interim Investigating Committee be printed.

#### ROLL CALL

The question being on Senator Bridston's motion No. 3 the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Foss	Nordhougen
Bilden	Frojen	O'Brien
Blank	Kamrath	Oksendahl
Bond	Kehoe	Olson, Barnes
Brant	Krenz	Page
Braun	Leno	Raschko
Bridston	Lofthus	Rue
Brunsdale	Lynch	Shure
Conrad	Morgan	Stucke
Dahlen	Murry	Troxel
Day	Nelson, Griggs-	Wog
Drew	Steele	Work
Feton	Nelson, McKenzie	Young
Flatt		

Those voting in the negative were:

Olson, McHenry	Reinke	Streibel
Olson, Mountrail	Schrock	Thatcher
Peterson	Semerad	Wahlund

Absent and not voting:

Greiser

So the motion prevailed.

Senator Young moved that the action by which Senate Bill No. 202 was lost be reconsidered, which motion prevailed.

Senator Young moved that Senate Bill No. 202 be placed on the calendar, which motion prevailed.

Senator Stucke moved that the Senate reconsider its action on Senate Bill No. 191, which motion prevailed.

Senator Stucke moved that Senate Bill No. 191 be placed on the calendar, which motion prevailed.

Senator Morgan moved that the Senate reconsider Senate Bill No 90, which motion, on a standing vote, prevailed.

Senator Day moved that the Senate reconsider the action by which Senate Bill No. 203 was defeated, which motion prevailed.

Senator Day moved that Senate Bill No. 203 be placed on the calendar, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Corporations, to whom was referred Senate Bill No. 156, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the original bill strike out the word "shall" and insert in lieu thereof the following:

"may at the discretion of the governing board".

In Section 2 line 28 strike out the capital "A" on "At" and insert a small "a".

In line 28 of the original bill insert before the word "at" the following:

"If bids have been called for".

In line 44 of the original bill strike out the word "shall" and insert in lieu thereof the word "may".

In line 74 of the original bill after the word "thereof" insert the following sentence:

"Each such project shall be designated as a particular graveling district by number."

In line 99 of the original bill after the word "enforced" strike out the period and add the following:

"and such assessments shall constitute a lien against the property designated in the same manner and to the same extent as other special assessments."

In line 120 of the original bill after the word "payment" insert the following sentence:

"When the assessment against any lot or tract shall have been paid the lien against said lot or tract shall be cancelled and annulled."

In line 122 of the original bill strike out the word "such" and insert in lieu thereof the word "any".

In line 122 of the original bill strike out the "s" in "projects".

In line 123 of the original bill strike out the word "special" and insert in lieu thereof the words "District Number \_\_\_\_\_".

In line 124 of the original bill strike out the word "Fund".

In line 125 of the original bill strike out the "s" in "projects".

In line 142 of the original bill after the word "such" insert the word "designated".

In line 142 of the original bill strike out the word "Special" and insert in lieu thereof the word "District".

In line 143 of the original bill strike out everything after the words "Section 12" and insert the following:

"It is the intent of this act to provide an optional and discretionary method of graveling streets and levying special assessments therefor in addition to those provided by existing statutes, and in all matters not specifically provided for in this act the provisions of Chapters 40-23, 40-24 and 40-25 of the North Dakota Revised Code of 1943 shall govern."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Apportionment to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

WILLIAM KAMRATH, Chairman.

Senator Kamrath moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Page moved that the committee report on Senate Bill No. 209 be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Elections, to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 194, have had the same

under consideration and recommend that the same be amended as follows:

On line 37, strike out the words and figures "Fifteen Hundred (\$1500.00)" and insert in lieu thereof the words and figures "One Thousand (\$1,000.00)".

On line 39, strike out the words "fifteen hundred" and insert in lieu thereof the words "one thousand".

On line 42, strike out the words and figures "fifteen hundred (\$1500.00)" and insert in lieu thereof the words and figures "one thousand (\$1000.00)".

After line 53, insert new lines and the following: "Head of Household: If the taxpayer would not occupy the status of head of family except by reason of there being one or more dependents for whom he could be entitled to credit; the credit shall be disallowed with respect to one of such dependents."

Strike out all of lines 81 through 91 inclusive.

On line 78, strike out the word "and" and all of line 79.

On line 80, strike out the word "three" and insert in lieu thereof the word "ten".

Strike out all of lines 81 through 91 inclusive.

On line 112, after the word "asset" insert the word "held".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, after having been vetoed by the Governor, the roll was called and there were ayes, 38; nays, 11; absent and not voting 0.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bond	Leno	Peterson
Bilden	Lofthus	Raschko
Blank	Lynch	Reinke
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Flatt	Nelson, McKenzie	Thatcher
Foss	O'Brien	Troxel
Frojen	Oksendahl	Wahlund
Greiser	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work

Those voting in the negative were:

Brant	Feton	Rue
Brunsdale	Kehoe	Shure
Conrad	Nordhogen	Young
Drew	Olson, Barnes	

So the bill passed over the Governor's veto.

Senator Bridston: "At the present salary that is paid to legislators no one without considerable means can afford to come down to Bismarck for sixty days. My second reason for voting 'aye' on this measure is that I come from a district which gave a large majority to increase the legislative pay in the last general election. My third reason is that I am a firm believer in the right of the majority. For these reasons I vote 'aye'."

Senator Stucke: "When this Bill was first passed I registered my vote in opposition because the district I represent voted 'no'. The measure, in spite of that, was carried by an overwhelming majority in both Houses. Apparently the Governor took it upon himself to override the wishes of the vast majority of the Legislature. I still am a firm believer in majority rule, especially so when that majority is overwhelming. There are many members of both the House and Senate than can ill afford to lose money coming down here and serving the people. It is possible that I can afford that. However, be that as it may, I at this time, because of the situation as I have stated, will vote 'aye' upon this measure. I also wish to have the Supreme Court determine the constitutionality of this law and have it established once and for all.

Senator Young: "There comes a time in every man's life when in order to live with one's conscience he must do something contrary to the majority. It isn't that it wouldn't be easy to vote for this Bill, which was voted down by the people only six months ago. If we knew what was in prospect, how we are going to provide for the aged, the poor, and the veterans of North Dakota it would be different. It is now being talked about, and I think the people know it, that the sales tax will probably be defeated. If that is done no one could argue that our schools and our aged people would be properly cared for even if we took all the surplus in our State treasury. It could argued, on the other hand, that if we had passed the seventy-five percent valuation law we wouldn't have to pass the sales tax. There is no State levy made at all for the next year, and even if there had been the total levy allowed by the State would in no way take the place of a sales tax. We can do away with it if we will initiate a law providing for a higher mill levy. If that be the wish of the people it is all right with me.

"I would really have a guilty conscience if, when this Session closed the sales tax were not passed, I had provided for myself on this measure and left the poor and aged sitting alone. I worked on the School Board for ten dollars a year for years, and I can work for five dollars a day on this until I know sufficient funds are available to properly take care of veterans, old age and schools."

Senator Brunsdale moved that the Governor's veto message on Senate Bill No. 90 be read, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Was read the second time.

The question being on the final passage of the bill, after veto by the Governor, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

**ROLL CALL**

Those voting in the affirmative were:

Beaton	Murry	Raschko
Bilden	Nelson, McKenzie	Reinke
Blank	Nordhougen	Schrock
Bond	O'Brien	Semerad
Day	Olson, McHenry	Streibel
Greiser	Olson, Mountrail	Stucke
Kamrath	Page	Thatcher
Leno	Peterson	Wahlund
Lynch		

Those voting in the negative were:

Brant	Foss	Oksendahl
Braun	Frojen	Olson, Barnes
Bridston	Kehoe	Rue
Brunsdale	Krenz	Shure
Conrad	Lofthus	Troxel
Dahlen	Morgan	Wog
Drew	Nelson, Griggs-	Work
Feton	Steele	Young
Flatt		

So the bill was lost and the Governor's veto was sustained.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTIETH DAY**

Bismarck, February 20, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Joseph Bachman of Bismarck.

Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 47th day after recess and the 49th day find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

- Senate Bill No. 67.
- Senate Bill No. 200.
- Senate Bill No. 207.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 109.

And find the same correctly Re-engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 35.

Senate Bill No. 41.

Senate Bill No. 78.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

In line 2, strike out the words "the Certification Fund" and insert the following words "any monies" and in the same line after the word "Treasury and the comma, insert the following words "not otherwise appropriated,".

In line 3, strike out the figures 14,800.00 and insert in lieu thereof the figures \$15,000.00.

In line 8, strike out the figures 4,800.00 and insert in lieu thereof the figures 5,000.00.

In line 13, strike out the figures 14,800.00 and insert in lieu thereof the figures 15,000.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the original bill, strike out the words "the Bee License Fund" and insert the following words: "any monies" and after the word "Treasury" and the comma in the same line insert the following words "not otherwise appropriated,".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

In line 4, strike out the figures 584,650.00 and insert in lieu thereof the figures 598,850.00.

In line 12, strike out the figures 125,400.00 and insert in lieu thereof the figures 130,000.00.

In Line 13, strike out the figures 53,400.00 and insert in lieu thereof the figures 60,000.00.

In line 17, strike out the figures 224,100.00 and insert in lieu thereof the figures 235,300.00.

In line 21, strike out the figures 135,000.00 and insert in lieu thereof the figures 140,000.00.

In line 24, strike out the figures 142,000.00 and insert in lieu thereof the figures 140,000.00.

In line 26, strike out the figures 360,550.00 and insert in lieu thereof the figures 363,550.00.

In line 27, strike out the figures 584,650.00 and insert in lieu thereof the figures 598,850.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 117, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 118, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be amended as follows:

In line 11, correct the spelling of the word "General".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL", and insert in lieu thereof the following:

For an Act to amend and reenact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 relating to fees for teachers' certificates.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY  
OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. AMENDMENT.) That Section 15-3608  
2 of the North Dakota Revised Code of 1943 be amended  
3 and reenacted to read as follows:  
4 15-3608. FEES FOR CERTIFICATES. The superin-  
5 tendent of public instruction shall require a fee  
6 of five dollars from each applicant for a first  
7 grade professional certificate, and a fee of three  
8 dollars from each applicant for a second grade pro-  
9 fessional certificate or for a special certificate.  
10 The same fee shall be charged for a renewal of a  
11 professional or special certificate as is charged  
12 for its issuance. The county superintendent of  
13 schools shall collect a fee of two dollars from each  
14 applicant for an elementary certificate, or the re-  
15 newal of an elementary certificate. The fees col-  
16 lected for first and second grade professional  
17 certificates, as provided herein, shall be deposited  
18 in the state treasury to the credit of the general  
19 fund of the state.  
20 Section 2. AMENDMENT.) That Section 15-3609 of  
21 the North Dakota Revised Code of 1943 be amended  
22 and reenacted to read as follows:  
23 15-3609. DISPOSITION OF FEES COLLECTED FOR  
24 TEACHERS' CERTIFICATES. One dollar of each fee  
25 collected by the county superintendent of schools  
26 from an applicant for an elementary certificate and  
27 one dollar of each fee collected for the renewal  
28 of an elementary certificate shall be paid into  
29 the general fund of the county, and one dollar of  
30 each fee collected from an applicant for an ele-  
31 mentary certificate of renewal shall be forwarded  
32 to the superintendent of public instruction to be  
33 deposited in the state treasury in the state general  
34 fund. Funds necessary for clerical help, per diem  
35 and other expenses shall be paid from appropriations  
36 made by the legislative assembly.  
37 Section 3. Any and all moneys now in the state  
38 treasury to the credit of the certificate fund shall  
39 be transferred to the general fund after all bills  
40 charged to the certificate fund prior to July 1,  
41 1945 are paid.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the Committee Report on House Bill No. 142 be printed in the Journal and that action be deferred one legislative day, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 37, have had the same under consideration and recommend that the Senate recede from its amendments on line 22 by striking out the words and figures "fifty per cent" and in lieu thereof insert the following: "a majority".

And when so amended recommend the same do pass.

For the Senate:

WALTER BOND  
RILIE R. MORGAN  
J. B. BRIDSTON

For the House:

D. S. BLAIR  
PALMER LEVIN  
DAVE HOVEY

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Kamrath	Page
Bond	Kehoe	Raschko
Brant	Krenz	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Troxel
Day	Nelson, McKenzie	Wahlund
Drew	O'Brien	Wog
Feton	Oksendahl	Work
Foss	Olson, Barnes	Young
Frojen	Olson, McHenry	

Those voting in the negative were:

Greiser	Peterson	Stucke
Leno	Reinke	Thatcher
Olson, Mountrail		

Absent and not voting:

Beaton	Flatt	Nordhougen
Bilden	Murry	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Flatt	Semerad
Bilden	Murry	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which Senate Bill No. 67 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Was read the second time.

Senator Day moved that Senate Bill No. 163 be amended as follows: In line 12 of the printed bill, before the second word "County" the word "senior" be inserted, and after said word "County" the words "of such district," be inserted; strike out the last three words on line 12, all of line 13, and line 14 down to and including the word "committeemen" and the comma, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 163 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Drew	Oksendahl
Bond	Feton	Olson, Barnes
Brant	Flatt	Page
Braun	Foss	Raschko
Bridston	Frojen	Schrock
Brunsdale	Kehoe	Shure
Conrad	Krenz	Troxel
Dahlen	Lofthus	Work
Day	Morgan	Young

Those voting in the negative were:

Blank	Nordhougen	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Thatcher
Leno	Peterson	Wahlund
Lynch	Reinke	Wog
Nelson, McKenzie	Semerad	

Absent and not voting:

Beaton	Nelson, Griggs-	O'Brien
Murry	Steele	Rue

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 163 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-Bearing Animals; Section 20-0403, of the North Dakota Re-

vised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Which has been read.

Senator Streibel moved that Senate Bill No. 198 be indefinitely postponed, which motion, on a standing vote, lost.

Senator Bridston moved that Senate Bill No. 198 be amended as follows: In line 31 of the printed bill strike out the word "six" and insert the word "two", which motion prevailed.

Senator Bridston moved that the rules be suspended, that Senate Bill No. 198 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion, on a standing vote, lost.

Senator Bridston moved that the Senate reconsider the action by which Senate Bill No. 198 was amended, which motion, on a standing vote, prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Flatt	Page
Blank	Foss	Raschko
Bond	Frojen	Schrock
Brant	Kehoe	Thatcher
Braun	Krenz	Troxel
Bridston	Lofthus	Wahlund
Dahlen	Murry	Wog
Day	Nordhougen	Work
Drew	Oksendahl	Young
Feton	Olson, Barnes	

Those voting in the negative were:

Brunsdale	Morgan	Peterson
Conrad	Nelson, Griggs-	Reinke
Greiser	Steele	Semerad
Kamrath	Nelson, McKenzie	Shure
Leno	Olson, McHenry	Streibel
Lynch	Olson, Mountrail	Stucke

Absent and not voting:

Beaton	O'Brien	Rue
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So the bill passed and the title was agreed to.

Senator Dahlen moved that the vote by which Senate Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Flatt moved that Senate Bill No. 208 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943

Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

Senator Day moved that Senate Bill No. 62 be amended as follows: In line 27 of the printed bill, strike the word "fifteen" and insert in lieu thereof the word "five".

Senator Young moved that the amendment to Senate Bill No. 62 be laid on the table, which motion, on a standing vote, prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	

Those voting in the negative were:

Greiser                      Olson, McHenry

Absent and not voting:

Beaton

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and all Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath		

Absent and not voting:

Beaton	Greiser	Nelson, Griggs-Steele
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which Senate Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 200. A Bill for an Act to Amend and Re-enact Section 16-0402 of the North Dakota Revised Code of 1943 Providing for Party Designations and Columns on Election Ballots.

Was read the second time.

Senator Young moved that Senate Bill No. 200 be laid on the table, which motion, on a standing vote, prevailed.

Senator Day moved that Senate Bill No. 62 be taken from the table.

Senator O'Brien moved the previous question, which motion prevailed.

Senator Day demanded a roll call, which was granted.

## ROLL CALL

The question being on Senator Day's motion, the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Murry	Peterson
Blank	Nelson, Griggs-Steele	Reinke
Brant		Schrock
Day	Nelson, McKenzie	Semerad
Kamrath	Nordhougen	Streibel
Kehoe	Olson, McHenry	Stucke
Leno	Olson, Mountrail	Thatcher
Lynch	Page	Wahlund

Those voting in the negative were:

Bond	Flatt	Oksendahl
Braun	Foss	Olson, Barnes
Bridston	Frojen	Shure
Brunsdale	Krenz	Troxel
Conrad	Lofthus	Wog
Dahlen	Morgan	Work
Drew	O'Brien	Young
Feton		

Absent and not voting:

Beaton	Raschko	Rue
Greiser		

So the motion lost.

Senator Blank moved that Senate Bill No. 207 be placed at the foot of the calendar, which motion prevailed.

Senator Young moved that Senate Bill No. 210 be placed at the foot of the calendar, which motion prevailed.

Senate Concurrent Resolution No. 5. A Concurrent Resolution Providing for the Amendment of Article 54 of the Constitution of the State of North Dakota.

Was read the second time.

Senator Lofthus moved that Senate Concurrent Resolution No. 5 be indefinitely postponed.

Senator Young moved that Senate Concurrent Resolution No. 5 be amended as follows: In line 13 after the word "Board" strike out the balance of the Resolution and insert in lieu thereof the following: "whose personnel, membership, powers and duties shall be determined by the legislative assembly", and renumber the lines accordingly.

Senator Rue made a substitute motion that Senate Concurrent Resolution No. 5 be laid on the table, which motion, on a standing vote, lost.

Senator Brunsdale moved that Senate Concurrent Resolution No. 5 be amended as follows: In line 12, following the word "State" strike out the comma and the words "penal, charitable and", which motion prevailed.

The question being on the motion of Senator Young to amend Senate Concurrent Resolution No. 5, which motion prevailed.

The question being on the motion of Senator Lofthus to indefinitely postpone Senate Concurrent Resolution No. 5, which motion lost.

Senator Flatt moved that the rules be suspended, that Senate Concurrent Resolution No. 5 be considered properly re-engrossed and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Nordhougen	Reinke
Blank	O'Brien	Schrock
Day	Oksendahl	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke

Lynch	Page	Wahlund
Morgan	Peterson	Wog
Nelson, McKenzie	Raschko	Young
Those voting in the negative were:		
Bond	Feton	Murry
Brant	Flatt	Olson, Barnes
Braun	Foss	Rue
Bridston	Frojen	Shure
Brunsdale	Kehoe	Thatcher
Conrad	Krenz	Troxel
Dahlen	Lofthus	Work
Drew		
Absent and not voting:		
Beaton	Greiser	Nelson, Griggs- Steele

So the Resolution lost for lack of a constitutional majority.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Was read the second time.

Senator Young moved that Senate Bill No. 202 be amended as follows: In line 11 of the printed Bill, after the word "salary" strike out the balance of the Bill and insert the following: "as fixed by the legislative appropriation therefor", which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 202 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:		
Bilden	Foss	O'Brien
Blank	Frojen	Oksendahl
Bond	Kamrath	Raschko
Brant	Kehoe	Rue
Braun	Krenz	Schrock
Bridston	Leno	Shure
Brunsdale	Lofthus	Stucke
Conrad	Lynch	Troxel
Dahlen	Morgan	Wog
Day	Nelson, McKenzie	Work
Drew	Nordhougen	Young
Flatt		
Those voting in the negative were:		
Feton	Page	Streibel
Olson, McHenry	Reinke	Thatcher
Olson, Mountrail	Semerad	Wahlund
Absent and not voting:		
Beaton	Murry	Olson, Barnes
Greiser	Nelson, Griggs- Steele	Peterson

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Bill

No. 202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 37.

KENNETH L. MORGAN, Chief Clerk.

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 37.

W. J. TROUT, Secretary.

**MESSAGES FROM THE HOUSE**

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to return:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of

Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

House Concurrent Resolution "V".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk  
House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil

Actions, in the District Court; and Declaring an Emergency.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on tion on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now recess until 10:00 a. m., Wednesday, February 21, 1945, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTIETH DAY AFTER RECESS  
AND FIFTY-FIRST DAY**

Bismarck, February 21, 1945

The Senate convened at 10:00 a.m., pursuant to recess taken, the President presiding.

Senator Brunsdale requested a call of the Senate, which request was granted.

Upon roll call it was disclosed all Senators present except Senators Foss, Greiser, Murry, Nelson of Griggs and Steele, O'Brien and Semerad.

Senator Brunsdale requested that the call of the Senate be dispensed with, which request was granted.

**REPORT OF STANDING COMMITTEE**

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 103.

Senate Bill No. 105.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Bill No. 47.

Senate Bill No. 79.

Was delivered to the Governor for his approval at the hour of 11:00 A.M. o'clock February 21, 1945.

W. R. BOND, Chairman.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 194.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Bill No. 35.

Senate Bill No. 41.

Senate Bill No. 78.

House Bill No. 15.  
House Bill No. 68.  
House Bill No. 81.

And the President signed the same in the presence of the Senate.

### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Senate has passed over the Governor's veto.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When;

Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-Bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to transmit:

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal

Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefor.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Wages, Salaries and Commissions, Including Overtime or Premium Pay or Penalties Thereon Required or Authorized by Any Statute, to a Period of One Year After the Accrual of the Right to Such Pay, and Declaring an Emergency.

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to transmit:

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Joint Resolution No. 1.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Senator Day moved that Senate Bill No. 109 be amended as follows: In the title and the body of the re-engrossed Bill wherever the words "Commissioner", "Tax Commissioner" or "State Tax Commissioner" appear that the same be stricken and in lieu thereof the words "Attorney General" be inserted; and that lines 135 and 136 be stricken and in lieu thereof the words "the inspectors appointed by the Attorney General as authorized by law shall" be inserted, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 109 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senator Foss: "I cannot see where we are going to accomplish a great deal by this but I cannot see where it is going to do any harm. We have more laws now than we know what to do with. What we need to do is get down to common sense and get some real men regulating our State offices and regulating the industry. I have been a prohibitionist all my life and I believe in controlling it. We should go back a few years. Go back to the time when you were a boy, the average saloon was better operated than some of the dives of today. It is up to you and I to try to help this situation out a little ourselves.

Senator Young: "I don't believe there are adequate laws in North Dakota to enforce decent and proper prohibition laws. I am for better enforcement. Originally I was for this Bill but it has been so amended that I believe it is unacceptable to the majority of the people of North Dakota, the prohibition interests and the liquor interests both being opposed to it."

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Barnes
Blank	Krenz	Olson, McHenry
Brant	Leno	Peterson
Bridston	Lofthus	Raschko
Brunsdale	Lynch	Reinke
Dahlen	Morgan	Schrock
Day	Murry	Semerad
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Stucke
Flatt	Nelson, McKenzie	Troxel
Foss	Nordhougen	Wahlund
Frojen	O'Brien	Wog
Kamrath	Oksendahl	Work

Those voting in the negative were:

Bilden	Olson, Mountrail	Shure
Bond	Page	Thatcher
Braun	Rue	Young
Conrad		

Absent and not voting:

Greiser

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Raschko moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Blank	Lynch	Peterson
Bond	Morgan	Raschko
Brant	Nelson, Griggs-	Reinke
Braun	Steele	Semerad
Conrad	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Flatt	O'Brien	Wahlund
Kamrath	Oksendahl	Wog
Kehoe	Olson, McHenry	Work
Lofthus	Page	

Those voting in the negative were:

Beaton	Foss	Olson, Mountrail
Bilden	Frojen	Schrock
Bridston	Krenz	Shure
Brunsdale	Leno	Streibel
Dahlen	Murry	Troxel
Drew	Olson, Barnes	Young
Feton		

Absent and not voting:

Greiser	Rue
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So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which Senate Bill No. 207 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, McKenzie	Stucke

Dahlen	Nordhougen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen	Page	
Absent and not voting:		
Greiser	Nelson, Griggs- Steele	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which Senate Bill No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston requested that the Senate be on the seventh order of business, which request was granted.

#### FIRST READING OF SENATE RESOLUTION

Senators Bridston, O'Brien and Morgan introduced:

Senate Concurrent Resolution No. 15.

Senator Bridston moved that the rules be suspended, that Senate Concurrent Resolution No. 15 be placed upon second reading and final passage, which motion prevailed.

Senator Morgan moved that Senate Concurrent Resolution No. 15 be adopted, which motion prevailed.

Senator Bridston moved that Senate Concurrent Resolution No. 15 be messaged to the House immediately, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Concurrent Resolution No. 15.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier

County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Bridston	Greiser	Semerad
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which Senate Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 77. A Bill for an Act to amend and Re-enact Section 16-0415 of the Revised Code of 1943, Providing for the Consolidated Primary Election Ballot and Its Form, and the Voting of One Column Only.

Was read the second time.

Senator Day moved that Senate Bill No. 77 be amended as follows: At the end of the Bill add the following language: "The inspectors shall in every case collect and void the unused portion of each ballot", and renumber the lines accordingly, which motion lost.

Senator Nordhougen moved that Senate Bill No. 77 be indefinitely postponed.

Senator Bridston moved that Senate Bill No. 77 be placed at the foot of the calendar, which motion prevailed.

Senator Day moved that Senate Bill No. 62 be taken from the table, which motion, on a standing vote, lost.

Senator Day demanded a roll call, which was granted.

#### ROLL CALL

The question being on the motion of Senator Day, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Bilden	Leno	Reinke

Bond	Lynch	Schrock
Brant	Murry	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Conrad	Nordhougen	Thatcher
Day	Olson, McHenry	Wahlund
Feton	Page	Wog
Frojen	Peterson	Work
Kamrath		
Those voting in the negative were:		
Braun	Lofthus	Olson, Mountrail
Bridston	Morgan	Rue
Dahlen	Nelson, Griggs-	Semerad
Drew	Steele	Shure
Flatt	O'Brien	Troxel
Foss	Oksendahl	Young
Krenz	Olson, Barnes	
Absent and not voting:		
Blank	Greiser	

So the motoin lost.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:		
Beaton	Kehoe	Olson, Mountrail
Bilden	Krenz	Page
Bond	Leno	Peterson
Braun	Lofthus	Reinke
Brunsdale	Lynch	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young
Those voting in the negative were:		
Morgan	Rue	Semerad
Raschko		
Absent and not voting:		
Blank	Bridston	Greiser
Brant		

So the bill passed and the title was agreed to.

Senator Shure moved that the vote by which Senate Bill No. 103 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess for twenty minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 156.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 15.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk

#### SECOND READING OF SENATE BILLS

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Was read the second time.

Senator Olson of Mountrail moved that Senate Bill No. 105 be indefinitely postponed, which motion, on a standing vote, lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Frojen	Olson, Barnes
Brant	Kehoe	Peterson
Braun	Krenz	Raschko
Bridston	Lofthus	Rue
Brunsdale	Lynch	Schrock
Conrad	Morgan	Shure
Dahlen	Murry	Troxel
Day	Nelson, Griggs-	Wog
Drew	Steele	Work
Flatt	Nordhogen	Young
Foss	O'Brien	

Those voting in the negative were:

Beaton	Nelson, McKenzie	Semerad
Blank	Oksendahl	Streibel

Bond	Olson, McHenry	Stucke
Feton	Olson, Mountrail	Thatcher
Kamrath	Page	Wahlund
Leno	Reinke	

Absent and not voting:  
Greiser

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nordhougen requested that the Senate be on the eighth order of business, which request was granted.

Senator Nordhougen moved that Senate Bill No. 62 be taken off the table, which motion, on a standing vote, prevailed.

Senator Nordhougen moved that Senate Bill No. 62 be placed on the calendar, which motion prevailed.

Senator Bridston moved that Senate Bill No. 62 be placed at the foot of the calendar, which motion prevailed.

The President called the President Pro Tem to the chair.

SECOND READING OF SENATE BILLS

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen		

Those voting in the negative were:

Nordhougen Semerad

Absent and not voting:

Greiser Schrock

So the bill passed and the title was agreed to.

Senator Shure moved that the vote by which Senate Bill No. 156 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President resumed the chair.

Senate Bill No. 183. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Was read the second time.

Senator Schrock moved that Senate Bill No. 183 be indefinitely postponed.

Senator Young demanded a roll call, which was granted.

#### ROLL CALL

The question being on Senator Schrock's motion, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Lynch	Reinke
Bilden	Murry	Rue
Blank	Nelson, McKenzie	Schrock
Brant	Nordhougen	Semerad
Drew	Oksendahl	Streibel
Feton	Olson, Barnes	Stucke
Frojen	Olson, McHenry	Thatcher
Kamrath	Olson, Mountrail	Wahlund
Leno	Page	Wog
Lofthus	Peterson	

Those voting in the negative were:

Bond	Flatt	O'Brien
Braun	Foss	Raschko
Bridston	Kehoe	Shure
Brunsdale	Krenz	Troxel
Conrad	Morgan	Work
Dahlen	Nelson, Griggs-	Young
Day	Steele	

Absent and not voting:

Greiser

So the motion carried and Senate Bill No. 183 was declared indefinitely postponed.

Senator Olson of Mountrail moved that the vote by which Senate Bill No. 183 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 191. A Bill for an Act to Amend and Re-enact Sections 1, 2, 4, 6, 7, 10, 11, 12, 13, 15 and 16 of Chapter 57-35 of North Dakota Revised Code of 1943, Pertaining to Tax on Banks, Trust Companies, Building and Loan Associations, or Other Similar Local Mutual or Cooperative Thrift and Home Financing Institutions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 4; nays, 44; absent and not voting, 1.

Those voting in the affirmative were:

Brant	Krenz	Page
Day		

Those voting in the negative were:

Beaton	Kehoe	Peterson
Bilden	Leno	Raschko

Blank	Lofthus	Reinke
Bond	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, McKenzie	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young.

Absent and not voting:

Greiser

So the bill was declared lost.

Senator Conrad moved that the vote by which Senate Bill No. 191 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 194 be amended as follows: In line 37 of the engrossed bill change the words and figures "One Thousand (\$1,000.00)" to read "Fifteen Hundred (\$1500.00)"; in line 39 change "one thousand" to read "fifteen hundred"; and in line 42 change the words and figures "one thousand dollars (\$1,000.00)" to read "fifteen hundred dollars (\$1,500.00)", which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 194 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Feton	Oksendahl
Blank	Flatt	Olson, Barnes
Bond	Foss	Page
Braun	Kehoe	Raschko
Bridston	Lofthus	Rue
Brunsdale	Lynch	Shure
Conrad	Morgan	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wog
Drew	O'Brien	Work

Those voting in the negative were:

Bilden	Nelson, McKenzie	Schrock
Brant	Nordhousen	Semerad
Frojen	Olson, McHenry	Streibel
Kamrath	Olson, Mountrail	Stucke
Krenz	Peterson	Wahlund
Leno	Reinke	Young
Murry		

Absent and not voting:

Greiser

So the bill passed and the title was agreed to and the emergency clause lost.

Senator Drew moved that the vote by which Senate Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 15; absent and not voting 2.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Blank	Kehoe	Semerad
Brant	Leno	Schrock
Braun	Lynch	Shure
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhousen	Stucke
Conrad	Olson, Mountrail	Thatcher
Dahlen	Olson, McHenry	Wahlund
Day	Page	Work
Flatt	Peterson	Young
Foss	Raschko	

Those voting in the negative were:

Beaton	Lofthus	Oksendahl
Bond	Morgan	Olson, Barnes
Drew	Nelson, Griggs-	Reinke
Feton	Steele	Troxel
Frojen	O'Brien	Wog
Krenz		

Absent and not voting:

Greiser                      Murry

So the bill passed and the title was agreed to.

Senator Stucke moved that the vote by which Senate Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Was read the second time.

Senator Troxel moved the previous question, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Flatt	Oksendahl
Bilden	Foss	Olson, Barnes
Blank	Frojen	Page
Bond	Kehoe	Raschko
Brant	Krenz	Reinke
Braun	Lofthus	Shure
Bridston	Morgan	Stucke
Brunsdale	Murry	Troxel
Conrad	Nelson, Griggs-	Wog
Dahlen	Steele	Work
Drew	Nordhougen	Young
Feton	O'Brien	

Those voting in the negative were:

Day	Olson, McHenry	Semerad
Kamrath	Olson, Mountrail	Streibel
Leno	Peterson	Thatcher
Lynch	Rue	Wahlund
Nelson, McKenzie	Schrock	

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that Senate Bill No. 77 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Which has been read.

Senator Brunsdale moved that Senate Bill No. 62 be amended as follows: In line 6 of the printed Bill after the word "party" and the period add this sentence "The ballot shall be entitled the Primary Election Ballot", which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 62 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Schrock
Brant	Lynch	Semerad

Braun	Murry	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Conrad	Nordhousen	Thatcher
Day	Olson, McHenry	Wahlund
Feton	Olson, Mountrail	Wog
Frojen	Page	

Those voting in the negative were:

Bridston	Morgan	Rue
Dahlen	Nelson, Griggs-	Shure
Drew	Steele	Troxel
Flatt	O'Brien	Work
Foss	Oksendahl	Young
Lofthus	Olson, Barnes	

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senator Stucke moved that the vote by which Senate Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator O'Brien moved that Senate Bill No. 77 be indefinitely postponed, which motion prevailed.

Senator Day moved that on page 444 of the Journal the record of his vote on Senate Bill No. 192 be changed from 'no' to 'aye'.

The President ruled that the motion of Senator Day was out of order.

Senator Day rose to a point of personal privilege.

Senator Day: "I notice that the record shows my vote on Senate Bill No. 192 to be a negative vote. This was an error made in the last rush of getting the Committee reports out and is a source of some embarrassment to me inasmuch as I have written several letters to constituents and promised to support the Bill and it was a Bill I did intend to support and work for. I just wanted the record straight in that respect."

Senator Flatt moved that, at the request of Martha Albrecht she be excused as Enrolling and Engrossing Clerk, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess at the call of the chair, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

In the heading of the bill, strike out the words "SCALE

INSPECTION DIVISION" and insert the following words "DEPARTMENT OF WEIGHTS AND MEASURES".

In the second line of the Title of the Bill, after the word the, strike out the words "Scale Inspection Division" and insert the following words: "Department of Weights and Measures".

In line 2, after the first word "the", strike out the words "Scale Inspection Fund in The".

In line 4, after the second word "the" strike out the words "Scale Inspection Division" and insert the following words: "Department of Weights and Measures".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 127, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Committee Report on House Bill No. 142 be adopted, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure

County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 21, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Which the President has signed.

W. J. TROUT, Secretary.

**Senate Chamber**  
**Bismarck, February 21, 1945**

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 21, 1945

**Mr. President:** I have the honor to transmit:

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota

Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 38-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to

Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to transmit:  
House Joint Resolution No. 2.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

Was read the first time and referred to the Committee on Military and Indian Affairs.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Wages, Salaries and Commissions, Including Overtime or Premium Pay or Penalties Thereon Required or Authorized by Any Statute, to a Period of One Year After the Accrual of the Right to Such Pay, and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on tion on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Was read the first time and referred to the Committee on Education.

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Was read the first time and referred to the Committee on Highways.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Was read the first time and referred to the Committee on Corporations.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Was read the first time and referred to the Committee on Public Health.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of

1943 Pertaining to Advances by Building and Loan Associations.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Was read the first time and referred to the Committee on Highways.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Was read the first time and referred to the Committee on Highways.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Was read the first time and referred to the Committee on Counties.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "V".

Was read the first time and referred to the Committee on Ways and Means.

House Joint Resolution No. 1.

Was read the first time and referred to the Committee on Ways and Means.

House Joint Resolution No. 2.

Was read the first time and referred to the Committee on Highways.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-FIRST DAY

Bismarck, February 21, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Joseph Bachman of Bismarck.

Roll call: All Senators present except Senator Greiser.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-ninth Day After Recess and Fiftieth Day and find the same correct.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that House Bill No. 32 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 21, 1945

Mr. President: I have the honor to return:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 35.

Senate Bill No. 41.

Senate Bill No. 78.

Were delivered to the Governor for his approval at the hour of 4:50 p. m. o'clock, February 21, 1945.

W. R. BOND, Chairman.

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Was read the first time and referred to the Committee on Counties.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Was read the first time and referred to the Committee on Highways.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

Was read the first time and referred to the Committee on Public Welfare.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members

of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2263, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Was read the first time and referred to the Committee on Highways.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of

North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Was read the first time and referred to the Committee on State Affairs.

**MESSAGE FROM THE GOVERNOR**

State of North Dakota

**OFFICE OF THE GOVERNOR**

Bismarck, February 21, 1945

North Dakota Senate  
Senate Chambers  
Bismarck, N. Dak.  
Gentlemen:

This is to notify you that I have approved the following Senate Bills:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

And the same have been filed with the Secretary of State.

Respectfully,  
**FRED G. AANDAHL**  
Governor of North Dakota

Senator Brunsdale moved that the Senate do now recess until 1:00 p. m., Thursday, February 22, 1945, which motion prevailed.

**W. J. TROUT**, Secretary.

FIFTY-FIRST DAY AFTER RECESS  
AND FIFTY-SECOND DAY

Bismarck, February 22, 1945

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

The President announced that the Senate would be on the twelfth order of business.

SECOND READING OF HOUSE BILLS

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Lofthus	Peterson
Bilder	Lynch	Raschko
Brant	Morgan	Reinke
Brunsdale	Murry	Rue
Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Semerad
Day	Nelson, McKenzie	Shure
Feton	O'Brien	Streibel
Foss	Nordhougen	Stucke
Frojen	Oksendahl	Thatcher
Kamrath	Olson, Barnes	Troxel
Kehoe	Olson, Mountrail	Wahlund
Krenz	Olson, McHenry	Wog
Leno	Page	Work

Absent and not voting:

Blank	Bridston	Greiser
Bond	Drew	Young
Braun	Flatt	

So the bill passed and the title was agreed to.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Leno	Peterson
Bilden	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Frojen	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Wog
Kehoe	Page	Work
Krenz		

Absent and not voting:

Blank	Flatt	Nordhougen
Bond	Greiser	Young
Bridston		

So the bill passed and the title was agreed to.

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Semerad
Conrad	Murry	Schrock
Dahlen	Nelson, McKenzie	Shure
Day	Nordhougen	Streibel
Drew	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Frojen	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Wog
Kehoe	Page	Work

Absent and not voting:

Blank	Flatt	Nelson, Griggs-
Bond	Greiser	Steele
Bridston		Young

So the bill passed and the title was agreed to.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bilden	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhogen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	

Absent and not voting:

Blank	Flatt	Nelson, Griggs-
Bridston	Greiser	Steele

So the bill passed and the title was agreed to.

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

## Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bilden	Krenz	Page
Blank	Leno	Peterson
Bond	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Morgan	Rue
Brunsdale	Murry	Schrock
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young

## Those voting in the negative were:

Conrad	Shure
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## Absent and not voting:

Bridston	Greiser	Semerad
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So the bill passed and the title was agreed to.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## FIFTY-SECOND DAY

Bismarck, February 22, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. Joseph Bachman, of Bismarck.

Roll call: All Senators present.

## SENATE CHAMBER

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 50th day after recess and 51st day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State Affairs, to whom was referred House Bill No. 125, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 200, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs, to whom was referred House Bill No. 281, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Raschko requested that the Senate be on the eighth order of business, which request was granted.

Senator Raschko moved that House Bill No. 203 be referred to the Committee on Appropriations, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION "A"

Presented by Senator Nordhougen

WHEREAS, the late Senator James Duncan of Josephine, North Dakota, was called to his eternal reward on March 6, 1943, and

WHEREAS, he was born in Scotland in 1854 and came to the Dakota Territory in 1881 and in 1883 settled on a claim near Josephine in Benson County—and as he took an active part in civic affairs, serving on County, Township and School Boards and

WHEREAS, he represented his Legislative District, first as Representative from 1905 to 1909 and then as Senator from 1911 to 1913

THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, that we express our appreciation for his services to the State and his community, and that we further express the sorrow which we feel because of his passing; and

BE IT FURTHER RESOLVED, that this resolution be printed in the Journal and that an engrossed copy be sent by the Secretary of the State to his wife, Mrs. James Duncan now residing at 2306 N. W. Street, Phoenix, Arizona and his two sons, Ed Duncan and James Duncan of Los Angeles, California and his two daughters, Mrs. Ernest May of Josephine, and Mrs. Jessie Michels of Minot, North Dakota.

Senator Nordhougen moved the adoption of Senate Memorial Resolution "A", and that it be printed in the Journal, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION "B"

Presented by Senator Rue

WHEREAS, James W. Guthrie, one of North Dakota's most public spirited citizens and honored Burleigh County resident, was suddenly stricken by death Friday, January 5, 1945, and

WHEREAS, he was an honored member of the North Dakota Senate during the sessions of 1937 and 1939, and

WHEREAS, during his tenure of office he served his State and County with distinction, unselfishly, and with a devotion to principles of honesty and justice, and

WHEREAS, in private life he contributed much of his energy and time to the betterment of his community and his State,

**THEREFORE, BE IT RESOLVED,** that this Senate express its appreciation for the public service rendered by our erstwhile honored colleague and express its deep regret and sorrow over his passing, and

**BE IT FURTHER RESOLVED,** by the North Dakota Senate that the Senate tender its sincere sympathy to his wife, Mrs. Agnes Guthrie of Bismarck, and his three sons, Col. James O. Guthrie, Lt. John T. Guthrie, and Lt. Robert P. Guthrie, who are now serving in the armed forces of the United States, and his daughter, Mrs. John P. Thompson of Wilton, and that a copy of this resolution be printed in the Senate Journal and copies sent to his wife and children by the Secretary of State.

Senator Rue moved the adoption of Senate Memorial Resolution "B" and that it be printed in the Journal, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION "C"

Presented by Senator Work

**WHEREAS,** God saw fit in his infinite wisdom to call from our midst Senator W. H. Porter, as respected member of this body, on October 15, 1944;

**WHEREAS,** in his passing the eighteenth legislative district was vacated of its Senator, a man who had faithfully represented them from 1918 until 1934 and was elected in 1942 for a term that was ended by his death;

**WHEREAS,** the late Senator Porter was respected in these legislative halls by those who knew him for his honesty, integrity and his outstanding sympathy and understanding. His willingness to share of himself those experiences vital to good government;

**WHEREAS,** his community and home has been deprived of a loved one and a man held high in their praise and affection. Never too tired to respond to a summons to help, a trait he held steadfast as long as his health would permit, administering of his ability to his community at a great loss of personal strength;

**WHEREAS,** the late Senator set an example of love of simplicity and local security, by his constant interest and influence in his community and its welfare, serving on the various boards of the school and municipality;

**THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA,** that we express our heartfelt appreciation for the many services rendered this state by the late Dr. William H. Porter, and that we express our sincere sympathy and regret in the passing of our beloved colleague and friend.

**BE IT FURTHER RESOLVED,** that this resolution be printed in the Journal and an engrossed copy be forwarded by the Secretary of State to Mrs. W. H. Porter and Mr. W. H. Porter, Jr., Calvin, North Dakota.

Senator Work moved the adoption of Senate Memorial Resolution "C" and that it be printed in the Journal, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION "D"

**BE IT RESOLVED** by the Senate of the State of North Dakota at the 1945 Regular Session.

**THAT, WHEREAS,** God in His wisdom saw fit to summon to his eternal rest the late County Judge Charles J. Ellingson on June 29, 1943;

**WHEREAS,** He was born in Arkdale, Wisconsin, August 16, 1869, to Mr. and Mrs. Elling Ellingson, with whom he came to North Dakota in 1881 and settled in the vicinity of Rugby. When a young man, he was employed by the Beilder and Robinson Lumber Company in Blanchard, North Dakota, and secured his first knowledge of the mail service, as he was postmaster there. In June, 1893, he was married to Christine Dahl, daughter of Mr. and Mrs. L. Dahl, of Twin Valley, Minnesota. They moved to Sharon, North Dakota, in 1897 and Mr. Ellingson began his business career. He opened his first general store and he and Mrs. Ellingson lived in the rear of the building until they built their new home in 1902. Four children were born to shares their lives: Minor Ellsworth, Joy Lucille, Cecil Clare and Floyd Benjamin.

**WHEREAS,** he has been an active member and participant in community affairs during his entire life, having been a member of the Board of Education, in which capacity he worked wholeheartedly for the establishment of the Sharon Hospital. He was President of the Bank at Douglas, North Dakota, and Director of the Citizen's State Bank, and later of the National Bank of Sharon. Also, his farms near Rugby and Rolette occupied a good deal of his thoughts and time.

**WHEREAS,** he was elected State Senator from Steele and Griggs Counties in 1911, and served two terms, always striving for the ideals and principles of democracy.

**NOW, THEREFORE,** be it resolved that every member of this Regular Session does hereby pay tribute to the memory of this distinguished citizen and this assembly does hereby express appreciation on behalf of the State of North Dakota for his many years of loyal and devoted service.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be spread in the Journal of the Senate, and that a properly enrolled copy of the same be sent by the Secretary of State to his wife of Sharon, North Dakota; also, copies of the Resolution to be sent to Mrs. Ellingson to be forwarded to the four children at their respective addresses.

Senator Nelson of Griggs-Steele moved the adoption of Senate Memorial Resolution "D" and that it be printed in the Journal, which motion prevailed.

#### SENATE JOINT MEMORIAL RESOLUTION "E"

Presented by Committee on Joint Memorial Resolutions

**WHEREAS,** the following former members of the North Dakota Senate: Senator Ben Gilbertson of the 23rd legislative district, Senator Jerry Stevens of the 5th and 21st legislative district, Senator James Guthrie of the 27th legislative district, Senator Max Strehlow of the 10th legislative district, Senator W. H. Porter of the 18th legislative district, Senator A. J. McFadden of the 1st legislative district, Senator John Hart of the 33rd legislative district, Senator F. W. Vail of the 13th legislative district, Senator James P. Cain of the 31st legislative district, Senator Charles Ellingson of the 16th legislative district, Senator James Duncan of the 20th legislative district, Senator John G. Nelson of the 25th legislative

district, Senator John Beck of the 35th legislative district, Senator E. F. Gilbert of the 10th legislative district, and Senator Peder L. Hjelmstad of the 3rd legislative district, have gone to their final reward since the 28th Legislative Assembly;

**THEREFORE, BE IT RESOLVED**, by the North Dakota Senate, the House of Representatives concurring, that we hereby extend, to the families and friends of the deceased, our heartfelt sympathy. We, too, are deeply moved by the loss of these able, conscientious and industrious men. The valuable contributions they made as community leaders and legislators will always be a gentle reminder of their abiding faith in humanity, their loyalty to and love for, things sublime. The good, men do, will follow after them, we are told. If this is true, then we can rest assured in the knowledge that, with them, all is well;

**BE IT FURTHER RESOLVED**, that the Secretary of State send a copy of this Resolution to the families of the deceased, and that it be printed in the Senate Journal.

Senator Bond requested that the Senate be on the eighth order of business, which request was granted.

Senator Bond:

"Mr. President: This memorial day when we are honoring our departed members we are reminded of those still living and learn that the Hon. John H. Worst a member of the first, second and third session of the North Dakota Senate is at the advanced age of 95 now living in California.

"His Health is said to be as good as could be expected of one of his age and he has been quite active up to within a short time. Besides being a member of the legislature he was Lt. Governor in 1895 and presided over the State Senate. Later he was for many years President of the Agricultural College at Fargo, North Dakota.

"Now, Mr. President, I move you that a committee of three be appointed to draft an appropriate telegram to convey to Mr. Worst our congratulations and best wishes."

The question being on the motion of Senator Bond, which motion prevailed.

The President appointed as such Committee Senators Bond, Troxel and Krenz.

## SECOND READING OF HOUSE BILLS

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko

Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Those voting in the negative were:

Leno                      Thatcher

Absent and not voting:

Beaton                      Murry

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Frojen	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Page
Brant	Krenz	Peterson
Braun	Leno	Reinke
Bridston	Lofthus	Rue
Brunsdale	Lynch	Shure
Conrad	Morgan	Stucke
Dahlen	Nelson, Griggs-	Thatcher
Drew	Steele	Wog
Feton	Nelson, McKenzie	Work
Flatt	Nordhougen	Young
Foss	O'Brien	

Those voting in the negative were:

Day	Olson, Mountrail	Streibel
Greiser	Schrock	Troxel
Murry	Semerad	Wahlund

Absent and not voting:

Beaton                      Raschko

So the bill passed and the title was agreed to.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans'

Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Semerad
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser		

Absent and not voting:

Thatcher

So the bill passed and the title was agreed to.

The President called the President Pro tem to the chair.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Blank                      Flatt                      Thatcher

So the bill passed and the title was agreed to.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Was read the second time.

Senator Kehoe moved that House Bill No. 117 be amended as follows: In line 5 and 6 of the printed Bill strike out the following words: "decendent was born in any foreign country, or" and insert in lieu thereof "deceased resident of any of the States of the United States of America", which motion prevailed.

Senator Kehoe moved that the rules be suspended, that House Bill No. 117 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45, nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschke
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Feten	Olson, Barnes	Troxel
Flatt	Olson, McHenry	Wahlund
Foss	Nelson, McKenzie	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Absent and not voting:

Blank                      Greiser                      Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Was read the second time.

Senator Kehoe moved that House Bill No. 118 be amended as follows: In lines 17 and 18 of the printed Bill strike out the words "was born in any foreign country or", and renumber the lines accordingly, which motion prevailed.

Senator Kehoe moved that the rules be suspended, that House Bill No. 118 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young

Absent and not voting:

Blank	Day	Nordhougen
Bridston		

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate recess to go into Joint Memorial Session in the House, and reconvene immediately thereafter, which motion prevailed.

The Senate reconvened at the expiration of the recess period, the President presiding.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 8; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Feton	O'Brien
Bond	Flatt	Olson, Barnes
Brant	Foss	Oksendahl
Braun	Frojen	Raschko
Bridston	Kehoe	Reinke
Brunsdale	Krenz	Rue
Conrad	Lofthus	Schrock
Dahlen	Lynch	Semerad
Day	Murry	Shure
Drew	Nordhougen	Wog

Those voting in the negative were:

Leno	Olson, Mountrail	Troxel
Morgan	Streibel	Wahlund
Olson, McHenry	Thatcher	

Absent and not voting:

Beaton	Nelson, Griggs-	Peterson
Blank	Steele	Stucke
Greiser	Nelson, McKenzie	Work
Kamrath	Page	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that the vote by which House Bill No. 120 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan: "I change my vote from 'aye' to 'nay' for the purpose of reconsideration.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kamrath	Raschko
Bond	Kehoe	Reinke
Brant	Krenz	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Lynch	Shure
Conrad	Morgan	Streibel
Dahlen	Murry	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, Mountrail	Wog
Foss	Page	

Those voting in the negative were:

Olson, McHenry

Absent and not voting:

Blank	Nelson, McKenzie	Work
Greiser	Nordhogen	Young
Nelson, Griggs- Steele		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lofthus	Semerad

Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	O'Brien	Thatcher
Day	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog
Flatt	Olson, Mountrail	Work
Foss	Page	

Absent and not voting:

Blank	Murry	Nordhousen
Greiser	Nelson, Griggs-	Raschko
Kamrath	Steele	Young

So the bill passed and the title was agreed to.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Bond	Lofthus	Raschko
Brant	Lynch	Rein
Braun	Morgan	Rue
Bridston	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kehoe		

Absent and not voting:

Blank	Kamrath	Schrock
Brunsdale	Nordhousen	Young
Greiser		

So the bill passed and the title was agreed to.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Bond	Lofthus	Raschko

Brant	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kehoe		

Absent and not voting:

Blank	Kamrath	Schrock
Day	Nordhougen	Young
Greiser		

So the bill passed and the title was agreed to.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Bond	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Semerad
Brunsdale	Nelson, McKenzie	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kehoe	Olson, Mountrail	

Absent and not voting:

Blank	Greiser	Schrock
Day	Kamrath	Young

So the bill passed and the title was agreed to.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Bond	Lofthus	Raschko
Brant	Lynch	Reinke
Braun	Murry	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, McKenzie	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kehoe	Olson, Mountrail	Work

Absent and not voting:

Blank	Greiser	Young
Bridston	Kamrath	

So the bill passed and the title was agreed to.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Olson, Mountrail
Bilden	Leno	Page
Bond	Lofthus	Peterson
Brant	Lynch	Raschko
Braun	Morgan	Reinke
Brunsdale	Murry	Rue
Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Semerad
Day	Nelson, McKenzie	Shure
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kehoe		

Those voting in the negative were:

Streibel

Absent and not voting:

Blank	Greiser	Thatcher
Bridston	Kamrath	Young

So the bill passed and the title was agreed to.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bond	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kehoe	Olson, Mountrail	

Absent and not voting:

Bilden	Greiser	Thatcher
Blank	Kamrath	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bond	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Kehoe	Olson, McHenry	

Absent and not voting:

Bilden	Greiser	Thatcher
Blank	Kamrath	Young

So the bill passed and the title was agreed to.

Senator Braunsdale moved that House Bill No. 196 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bond	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kehoe	Olson, Mountrail	

Absent and not voting:

Bilden	Greiser	Thatcher
Blank	Kamrath	Young

So the bill passed and the title was agreed to.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock

Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Semerad
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Absent and not voting:		
Bilden	Kamrath	Thatcher
Blank	Murry	Young
Greiser	Page	

So the bill passed and the title was agreed to.

House Concurrent Resolution "D."

Was read the second time.

Senator Rue moved that House Concurrent Resolution "D" be indefinitely postponed.

Senator Streibel moved that House Concurrent Resolution "D" be laid over one legislative day, which motion prevailed.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Was read the second time.

Senator Brunsdale moved that House Concurrent Resolution "M", as amended by the Senate, be adopted, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m., Friday, February 23, 1945, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTY-SECOND DAY AFTER RECESS  
AND FIFTY-THIRD DAY**

Bismarck, February 23, 1945

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

The President announced that the Senate would be on the twelfth order of business.

**SECOND READING OF HOUSE BILLS**

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays 0; absent and not voting, 12.

Those voting in the affirmative were:

Brant	Leno	Raschko
Braun	Lofthus	Reinke
Brunsdale	Lynch	Rue
Conrad	Murry	Schrock
Dahlen	Nelson, McKenzie	Semerad
Day	Nelson, Griggs-	Shure
Drew	Steele	Streibel
Flatt	O'Brien	Stucke
Foss	Oksendahl	Troxel
Frojen	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Wog
Kehoe	Olson, Barnes	Work
Krenz	Peterson	

Absent and not voting:

Beaton	Bridston	Nordhougen
Bilden	Feton	Page
Blank	Greiser	Thatcher
Bond	Morgan	Young

So the bill passed and the title was agreed to.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Feton	Olson, Barnes	Troxel
Foss	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Wog
Kehoe	Page	Work
Krenz	Peterson	Young
Leno		

Absent and not voting:

Beaton	Flatt	Kamrath
Blank	Greiser	Nordhougen
Bridston		

So the bill passed and the title was agreed to.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young
Krenz	Peterson	

Absent and not voting:

Beaton	Bridston	Greiser
Blank	Day	Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-

enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Rue
Bond	Leno	Schrock
Brant	Lofthus	Semerad
Braun	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, Griggs-	Stucke .
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Those voting in the negative were:

Page .Reinke

Absent and not voting:

Bridston	Murry	Nordhousen
Greiser		

So the bill passed and the title was agreed to.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhousen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Bridston	Greiser	Murry
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhousen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath		

Absent and not voting:

Bridston	Murry	Young
Greiser		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 142. A Bill for an Act to Amend and Re-

enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	

Absent and not voting:

Bridston	Murry	Raschko
Greiser	Olson, Mountrail	Young

So the bill passed and the title was agreed to.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Was read the second time.

Senator Schrock moved that House Bill No. 196 be amended as follows: Strike out lines 16, 17, 18 and 19 of the printed Bill, which motion prevailed.

Senator Schrock moved that the rules be suspended, that House Bill No. 196 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund

Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Absent and not voting:		
Bridston	Murry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 87, have had the same under consideration and recommend that the same be amended as follows:

On page 1, line 9, of the re-engrossed bill strike the word "three" and insert in lieu thereof the word "four".

In Section 2 strike all of lines 14 and 15.

And when so amended recommend the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 96, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 97, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to

whom was referred House Bill No. 187, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 207, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 242, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Livestock, to whom was referred House Bill No. 248, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 261, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that House Bill No. 261 be re-referred to the Committee on Ways and Means, which motion prevailed.

Mr. President: Your Committee on Agriculture and Livestock, to whom was referred House Concurrent Resolution K, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Concurrent Resolution V, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Joint Resolution No. 1, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

Senate Bill No. 38.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 38.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker:

The Senate begs to advise that Senate Bill No. 67 now in your possession, was re-considered by the Senate after having been enrolled, then amended, and your favorable consideration is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Com-

pendensation of the Chief Engineer of the State Highway Department.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-THIRD DAY

Bismarck, February 23, 1945

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Father Justin Luetmer, of Mandan.

Roll call: All Senators present except Senator Murry.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 51st day after recess and 52nd day and find the same correct.

HARRY O'BRIEN, Acting Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Public Health, to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that House Bill No. 201 be re-referred to the Committee on State Affairs, which motion prevailed.

Senator Rue moved that the Senate do concur in the House amendment to Senate Bill No. 165, which motion prevailed.

Senator Rue moved that the rules be suspended, that Senate Bill No. 165 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad

Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Bilden	Flatt	Murry
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Concurrent Resolution "D".

Which has been read.

The question being on the motion of Senator Rue that House Concurrent Resolution "D" be indefinitely postponed, which motion lost.

Senator Wog moved that the Senate adopt House Concurrent Resolution "D", which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Brant	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lothhus	Schrock
Brunsdale	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog

Those voting in the negative were:

Bond	Nelson, Griggs-	Page
Day	Steele	Work

Absent and not voting:

Murry	Young
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So the bill passed and the title was agreed to.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semera <sup>r</sup>
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Beaton	Murry	Page
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So the bill passed and the title was agreed to.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Page
Blank	Kehoe	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Nelson, McKenzie	

Those voting in the negative were:

Schrock	Shure	Thatcher
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Absent and not voting:

Day	Flatt	Murry
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So the bill passed and the title was agreed to.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Bridston	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Those voting in the negative were:

Blank	Reinke	Thatcher
Greiser		

Absent and not voting:

Flatt	Murry	O'Brien
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So the bill passed and the title was agreed to.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lofthus	Semerad
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	Nordhougen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Page	Young
Frojen		

Those voting in the negative were:

Nelson, Griggs-  
Steele Olson, Mountrail

Absent and not voting:

Murry

So the bill passed and the title was agreed to.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Bond	Krenz	Raschko
Blank	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Absent and not voting:

Bridston Murry

So the bill passed and the title was agreed to.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

Was read the second time.

Senator Schrock moved that House Bill No. 187 be amended as follows: In line 52 of the printed Bill strike out the comma, insert a period, and strike out the rest of the section, which motion lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Mountrail
Bilden	Greiser	Peterson
Blank	Krenz	Raschko

Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Kamrath	Semerad
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Feton	O'Brien	Wog
Foss	Oksendahl	Work
Flatt	Olson, McHenry	Young
Those voting in the negative were:		
Kehoe	Olson, Barnes	Schrock
Absent and not voting:		
Murry	Page	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

Was read the second time.

Senator Olson of Mountrail moved that House Bill No. 207 be indefinitely postponed, which motion prevailed.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Greiser	Olson, McHenry
Blank	Kamrath	Olson, Mountrail
Bond	Kehoe	Page
Brant	Krenz	Peterson
Braun	Leno	Raschko
Bridston	Lofthus	Reinke
Brunsdale	Lynch	Rue
Conrad	Morgan	Schrock
Dahlen	Nelson, Griggs-	Semerad
Day	Steele	Shure
Drew	Nelson, McKenzie	Streibel
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work

Those voting in the negative were:

Beaton Thatcher



Brant	Krenz	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Lynch	Shure
Conrad	Morgan	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Absent and not voting:		
Murry	Nelson, Griggs- Steele	Page Young

So the resolution passed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 37.

House Bill No. 66.

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 165.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for

and the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Pro-

viding That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 23, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of

Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of

Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making

Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Senator O'Brien requested that the Senate be on the eighth order of business, which request was granted.

Senator O'Brien moved that Senate Concurrent Resolution No. 15 be printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 15

(Introduced by Senators Bridston, O'Brien and Morgan)

**BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

WHEREAS, a serious situation is facing the potato growers of the State of North Dakota in that hundreds of thousands of bushels of certified seed potatoes having been ordered by potato growers in the southern states, among them Louisiana, Oklahoma, Georgia, Idaho and other states, and

WHEREAS, the planting season in those states is at hand, and

WHEREAS, an acute car shortage has developed, making it impossible for the potato growers of the State to make shipments to fill orders for certified seed potatoes to growers in the southern states, referred to herein, and

WHEREAS, the potato growers of this State are faced with tremendous losses due to sprouting and spoilage of certified seed and table stock, and unless cars are made available immediately for the shipment of potatoes out of the State and filling of orders for potato growers in other states, as well as for potatoes for food purposes, such shortage of potatoes for seed as well as for food will interfere most seriously with the war effort of the United States,

**THEREFORE, BE IT RESOLVED** by the Senate of the

State of North Dakota, the House of Representatives Concurring herein:

That the Agricultural Adjustment Administration of the United States; the Interstate Commerce Commission; the Department of Agriculture and Labor of the United States; the War Food Administration of the states of Louisiana, Oklahoma, Georgia, Idaho and other southern states, our representatives in Congress, and the President of the United States be urged to use every effort possible to relieve the car shortage so as to enable the potato growers of this State to make shipments as stated herein, and thus not only prevent further serious losses to the potato growers of the State, but also to assist materially in the war effort of the United States by making food production possible for civilians as well as the Armed Forces of the United States, and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by wire immediately by the Secretary of the Senate to the Agricultural Adjustment Administration of the United States; the Interstate Commerce Commission; the Department of Agriculture and Labor of the United States; the War Food Administration of the states of Louisiana, Oklahoma, Georgia, Idaho and other southern states, our Representatives in Congress, and the President of the United States.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Saturday, February 24, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-THIRD DAY AFTER RECESS  
AND FIFTY-FOURTH DAY

Bismarck, February 24, 1945

The Senate convened at 1:30 p.m. pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 125.

Senate Bill No. 165.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 14, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock, to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties, to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Elections to whom was referred House Bill No. 111, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties, to whom was referred House Bill No. 115, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Printing to whom was referred House Bill No. 186, have had the same under consideration and recommend that the same do pass.

FRANK H. BEATON, Chairman.

Senator Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 192, have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 201, have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the original bill in line 34 after the word "newspaper" insert a comma and add the following: "managing officer of any printing establishment, radio station, novelty concern, poster or billboard advertising company".

In line 35 after the word "printing" insert the words "or furnishing".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 229, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

On page one of the re-engrossed bill in line 17 strike the word "one" and insert in lieu thereof the word "two".

In line 21 strike out the word "fifteen" and the word "and".

In line 22 strike out the word "one-half" and insert in lieu thereof the word "eighteen".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 247, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 275, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 282, have had the same

under consideration and recommend that the same be indefinitely postponed.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Concurrent Resolution "G", have had the same under consideration and recommend that the same be referred to the Committee on Judiciary.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Printing to whom was referred House Concurrent Resolution "P", have had the same under consideration and recommend that the same do pass.

FRANK H. BEATON, Chairman.

Senator Beaton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that Senate Bill No. 38 was delivered to the Governor for his approval at the hour of 4:10 p.m. o'clock February 23, 1945.

W. R. BOND, Chairman.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution 15.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 57. A Bill for an Act Defining Isonipecaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Bill No. 141. A Bill for an Act to Amend and Re-

enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota

Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE BILLS

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund. •

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood,

Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Was read the first time.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "Y" be placed upon second reading and final passage, which motion prevailed.

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Was read the second time.

Senator Streibel moved that the Senate adopt House Concurrent Resolution "Y", which motion prevailed.

Senator Flatt moved that House Concurrent Resolution "Y" be messaged to the House immediately, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 24, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the Senate has adopted.

W. J. TROUT, Secretary.

Senator Lofthus requested that the Senate be on the eighth order of business, which request was granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-FOURTH DAY

Bismarck, February 24, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Father Justin Luetmer of Mandan.

Roll call: All Senators present except Senators Brant,

Leno, Lynch, Nelson of Griggs-Steele, Olson of McHenry and Schrock:

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-second Day After Recess and Fifty-third Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

### MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, February 23, 1945

Members of the Senate  
Senate Chambers  
State Capitol  
Bismarck, N. Dak.

Gentlemen:

This is to advise you that I have approved and signed the following Senate Bills:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability; Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

And the same have been delivered to the Secretary of State's Office.

Respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the President appoint a committee of one to escort former Senator Owings to the rostrum, which motion prevailed.

The President appointed Senator Streibel as a committee of one to escort former Senator Owings to the rostrum.

Former Senator Owings: "This is kind of a surprise to me. It isn't the first time I have been up on this rostrum but I feel a little like the Irishman in the First World War. He was telling his friend, he says, "Just as I was going over the top they shot me through the chest." The other Irishman says, "It can't be so, Pat, they would have shot you right through the heart." "No, be-jabbers, my heart was in my throat at the time". That's the way I feel.

"I am surprised that some of these Senators with whom I am pretty well acquainted insist on my making a speech. I was eight years in the House and eight in the Senate, and now they insist on my making a speech—and I can't do it.

"I was in the House for eight years and I was disappointed because I wasn't made chairman of any important committee. In 1935 they messaged me over to the Senate and it was altogether different here. They were so short of good timber to head these committees that I was picked to head the committee on revision and correction of the Journal, and with the assistance of Nick Nelson of Grand Forks I got along swell. I stuck to the job all the time. In the last few days the Journal got to looking like a Sears, Roebuck catalogue. I would look at the front and back pages, and I would report that the Journal was okay. It must have been correct because you always adopted my report.

"I think this is about all I had better say. I am glad to be here and meet so many of you, and hope I can be back again, but not in the Session. I am glad I am not in the Session at the present time. If you are curious to know why I can tell you. I can assure you if any of you who attend the session had to sit by the side of the Senator from Wells for two or three sessions, like I did, you would be glad to get out of it."

Senator Beaton moved that the remarks of former Senator Owings be printed in the Journal, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Was read the second time.

Senator Lofthus moved that House Bill No. 195 be indefinitely postponed, which motion, on a standing vote, prevailed.

Senator Flatt requested that the Senate be on the eighth order of business, which motion prevailed.

Senator Flatt moved that George Clemens, a Senate page, be excused to enter the armed services, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

A committee from the House was received and announced that the House was ready to receive the Senate in Joint Session.

Senator Brunsdale moved that the Senate go into Joint Session in the House, after which the Senate recess until 1:00 p.m. Monday, February 26, 1945, which motion prevailed.

W. J. TROUT, Secretary.

REPORT  
of the  
INTERIM INVESTIGATING  
COMMITTEE

established by  
Chapter 29  
of the  
**Extraordinary Session**  
of the  
**Twenty-Eighth Legislative Assembly**

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(The printing of this report, including Committee's Report, Auditor's Report, Testimony, Exhibits and Findings appears in complete supplement form.)

February 19, 1945

To the Twenty-Ninth Legislative Assembly, State of  
North Dakota:

REPORT OF INTERIM INVESTIGATING COMMITTEE

We submit herewith the report of the Interim Investigating Committee, created by Chapter 29, of the Special Laws of 1944, for the purpose of investigating matters pertaining to the affairs of the Funds, Departments, and other functions under the jurisdiction of the Commissioner of Insurance, as set forth in said act.

The Committee first met and organized on July 10th, 1944, at which time Representative A. C. Johnson was selected as its Chairman and Senator J. B. Bridston, as its Secretary. Upon consideration of the duties imposed by the Act creating this Committee, it was decided that in order to perform those duties it would be necessary to secure the services of persons qualified and trained to make the required investigations. To that end, the Committee employed the firm of Ernst & Ernst, Certified Public Accountants, to make such investigations as were called for by the Act, under the general supervision of the Committee, and to cover the matters under investigation for the period, in general, from January 1st, 1937, to August 31st, 1944; and to submit a written report thereon to the Committee.

In the conduct of this phase of the investigation, examinations were made of records of the several departments and funds under the jurisdiction of the Commissioner of Insurance; of several insurance companies and insurance agencies; located both within and without the State of North Dakota; the principal of which are enumerated as follows: State Fire and Tornado Fund, Bismarck, North Dakota; State Bonding Fund, Bismarck, North Dakota; State Hail Insurance Department, Bismarck, North Dakota; State Insurance Department, Bismarck, North Dakota, Industrial Commission, Bismarck, North Dakota; The Bank of North Dakota, Bismarck, North Dakota; St. Paul Fire and Marine Insurance Company, St. Paul, Minnesota; Mercury Insurance Company, St. Paul, Minnesota; Western Fire Insurance Company, Fort Scott, Kansas; Western Casualty and Surety Company, Fort Scott, Kansas; R. N. Crawford & Co., Inc., Chicago, Illinois; Pennsylvania Fire Insurance Company, New York, New York; Commonwealth Insurance Company, New York, New York; Duncan and Mount, New York, New York; Murphy Insurance, Inc., Bismarck, North Dakota; Bismarck Insurance Agency, Bismarck, North Dakota; Byrne Insurance Agency, Bismarck, North Dakota; A. C. Brunsvold, Fargo, North Dakota; State Mill and Elevator Association, Grand Forks, North Dakota; First National Bank, Bismarck, North Dakota; Dakota National Bank and Trust Company, Bismarck, North Dakota; and the Dakota National Bank, Fargo, North Dakota.

Certain records and data which are considered to be essential to the determination of the ultimate facts regarding some matters under investigation were not available to this Committee or its representatives, by reason of their having been destroyed; or because the persons in possession of such records and data were beyond the jurisdiction of the Committee, and those persons refused to furnish such information volun-

tarily. The companies and persons involved and the records requested but not obtained, are as follows:

Murphy Insurance, Inc., records destroyed or missing: All records pertaining to insurance business considered by this company to have been the personal business of H. T. Murphy; Ledger Sheets showing the transactions between H. T. Murphy and the Murphy Insurance, Inc.; data supporting disbursements made by the company, such as details of policies being paid for, invoices for expenses, etc.

Bismarck Insurance Agency: Checks and check stubs relating to disbursements made prior to January 22nd, 1942, were missing.

R. N. Crawford & Co., Inc., Chicago. Permission to examine records pertaining to the disposition made of the commission and service charge received by them on the Lloyds' policy covering reinsurance of hail losses for 1943, was refused.

Kansas City Insurance Agency, Inc., Kansas City, Missouri. Permission to examine records pertaining to the disposition of commissions received by it from the Western Fire Insurance Company and Western Casualty and Surety Company on business received from the State Fire and Tornado Fund and the State Bonding Fund, was refused.

In compliance with instructions, Ernst & Ernst prepared and submitted a report of its investigation and findings, which report was submitted to the Committee on January 2nd, 1945, and the same is herewith incorporated into and made a part of the Committee's Report.

Upon consideration of the Findings and matters contained in the Report submitted by Ernst & Ernst, and in furtherance of its duties, the Committee held hearings in Executive Session, from time to time, between January 15th, 1945, and the date hereof, in the course of which hearings, the testimony of certain witnesses was taken and various written documents received and made a part of the record; that the witnesses so examined were Otto R. Vold, Oscar E. Erickson, Beth Murray, George Kelly, W. A. Hart and Frances Koch; that a subpoena was issued for W. R. Koch, but his testimony was not available due to the fact that he has been confined to a hospital in Bismarck since January 18th, 1945; that the testimony of such witnesses was taken in shorthand by the Committee's Reporter, has been transcribed and a full and complete transcript thereof is hereto attached and herewith made a part of this report; that in the course of such hearings, certain written documents and papers, identified as Committee's Exhibits 1 to 66, inclusive, and Erickson's Exhibits, A, B and C, all which Exhibits are hereto attached and herewith made a part of this report.

A summary of the testimony of all such witnesses and a short analyses of the exhibits that have been made a part of the record, together with Committee's Findings and Recommendations are set forth herein.

#### SUMMARY OF EVIDENCE

The following is a summary of the evidence taken by the Committee, both oral and written, and made a part of the record.

Witness OTTO R. VOLD testified substantially as follows:

(1) That he was employed by the State Insurance De-

partment on January 1st, 1935; was appointed Acting Manager of the State Fire and Tornado Fund and State Bonding Fund in 1936; and was made Manager in the Fall of 1938 and served continuously until January 15th, 1944; that on or about June 5th, 1940, he and Oscar E. Erickson purchased a cafe business located at 107-5th Street in Bismarck, North Dakota, known as the New Capitol Cafe, from Nick Zappas, for a consideration of Two Thousand Three Hundred (\$2,300.00) Dollars, to be owned jointly by Erickson and Vold on a 50-50 basis; that the title to the property was taken in the name of Agnes Shirley, who operated the business as manager, for the benefit of the joint owners, and, who acted as a "front" for Erickson and Vold in the ownership thereof; that after such purchase, additional capital investments were made in the business for improvements, by Erickson and Vold, mostly during 1940 and 1941, until the total investment reached \$6,395.56; that on August 2nd, 1941, Erickson paid Vold \$1000.00 in cash, for a fractional interest in the cafe business, representing the difference between a fifty per cent interest and a one-third interest; and that on April 1st, 1944, Vold sold his remaining interest in the cafe to Arthur Gehring for \$624.82; that between June, 1940, and January 1st, 1944, the cafe business earned profits, all of which profits were withdrawn, from time to time, by Erickson and Vold, and distributed between them on the basis of their respective shares in the business; that a portion of the capital investment was also withdrawn by them so that, as of January 1st, 1944, the total capital investment stood at \$4,911.35; that the funds for the purchase of this cafe were obtained from Henry T. Murphy, or his associates, and represented insurance commission "kickbacks" on certain reinsurance purchased on behalf of the State Fire and Tornado Fund from the Pennsylvania Fire Insurance Company and the Commonwealth Insurance Company, the commissions on which were collected by the Murphy Insurance Agency; that the initial funds received from Murphy consisted of \$1,000.00 in currency, which amount was used in opening a deposit account in the Dakota National Bank & Trust Company of Bismarck on June 5th, 1940, which deposit account was entered in the name of the New Capitol Cafe, Agnes Shirley, Manager; that from time to time thereafter, Erickson and Vold received funds from Murphy or his associates, representing commission "kickbacks" on insurance purchased for the State Fire and Tornado Fund, through, or for the account of the Murphy Insurance Agency, or H. T. Murphy, which funds were used in adding to the capital investment of the New Capitol Cafe.

(2) Witness Vold further testified that in December, 1940, Erickson requested Vold to obtain some funds for Erickson's use in paying an installment due upon a contract for the repurchase of the Erickson farm home located in Chippewa County, Wisconsin, from the Northwestern Mutual Life Insurance Company of Milwaukee, which had previously obtained the title thereto by foreclosure; that pursuant to Erickson's request, Vold purchased from the Western Fire Insurance Company of Fort Scott, Kansas, certain reinsurance on behalf of the State Fire and Tornado Fund, the premium cost of which was \$2871.98; that it was understood that the commissions available for such reinsurance business

would amount to about \$700.00, approximately the amount required to meet the installment due on the Erickson farm repurchase contract; that the commissions on such reinsurance business were collected by one L. M. Peet of Des Moines, Iowa, an officer of the Farmers Union Life Insurance Company of Des Moines, Iowa, who paid the money to one E. C. Wiklund, local agent for the Northwestern Mutual Life Insurance Company in Chippewa County, Wisconsin, for credit on the Erickson repurchase contract; that said payment represented the final payment due on such contract, and thereupon, the repurchase transaction was completed.

(3) Witness Vold further testified that during the summer of 1941, certain reinsurance policies were purchased on behalf of the State Fire and Tornado Fund from the St. Paul Fire and Marine Insurance Co. and Mercury Insurance Co., both of St. Paul, Minnesota, through or for the account of the Murphy Insurance Agency and H. T. Murphy, its Manager; that the premium cost of such reinsurance totaled approximately \$34,000, and the commissions for which, on a basis of 25 per cent, was \$8508.38; that in July, 1941, the said H. T. Murphy was paid \$2500 by said insurance companies, on account of such commissions, and the balance thereof, in the approximate amount of \$6000, was credited to H. T. Murphy's personal account upon the books of the said companies at St. Paul; that at the time said reinsurance was purchased, it was understood between Erickson, Vold and Murphy, that the commissions therefor, to the extent of 25 per cent were to be paid back to Erickson as a "kickback"; that on August 2nd, 1941, the said H. T. Murphy paid Erickson the sum of \$1000.00, in currency, at his office in the Capitol Building at Bismarck, in the presence of Vold, and that Erickson thereupon delivered the said currency to Vold in consideration of the purchase of a fractional interest in the New Capitol Cafe; that H. T. Murphy died on August 24th, 1941, without receiving the balance of the commissions due him from the St. Paul companies; that in October, 1941, certain steps were taken by W. R. Koch, Otto R. Vold and the officers of the St. Paul companies, whereby the original reinsurance policies were cancelled and new policies in the same amounts were issued for the credit of Frances Koch and W. R. Koch, as agents, and the commissions in the amount of \$6000.00, were paid to them; that during the summer or fall of 1941, Erickson was negotiating with the Federal Land Bank of St. Paul, for the repurchase of his farm located near Tappen, North Dakota, which had previously been lost on foreclosure; that it was understood between Erickson, Vold and Murphy, that Erickson expected to use a portion of the commissions paid on such reinsurance policies to finance the repurchase of his farm; that owing to the delay in collecting such commissions, due to the death of H. T. Murphy on August 24th, 1941, it was necessary for Erickson to obtain and use funds from other sources, temporarily, in order to effect his repurchase deal with the Federal Land Bank, and that Vold was thereafter informed by both Erickson and W. R. Koch that Koch had advanced to Erickson the sum of \$1500.00 in anticipation of the collection of said commissions, and that he thereafter paid Erickson an additional amount of \$3500.00 from such commissions.

(4) Witness Vold further testified that Erickson requested

him to make arrangements to obtain funds from the Murphy Insurance Agency, or H. T. Murphy, from which to pay Erickson the sum of \$100.00 per month as additional salary as Insurance Commissioner; that it was understood that the source of such funds was to be insurance "kickbacks," to be collected by Vold from reinsurance commissions received for reinsurance purchased through, or for the account of the Murphy Insurance Agency, or H. T. Murphy; that Vold did make such "kickback" collections from time to time, and paid the money to Erickson at the rate of \$100.00 per month; and that all records or memoranda relating to such payments were destroyed.

(5) Witness Vold further testified that during the year 1939, Erickson purchased a residence property located on 7th street in Bismarck, through J. P. Jackson of Bismarck; that such purchase was made on credit and upon terms which obligated Erickson to make installment payments thereon from time to time; that Erickson requested Vold, on three different occasions subsequent to such purchase, to obtain funds for Erickson's use in meeting the installments and taxes due on such residence property; that Vold secured such funds through the purchase of reinsurance policies on behalf of the State Fire and Tornado Fund, through, or for the account of agents who followed the practice of paying commission "kickbacks" for such business; that Vold obtained approximately \$3800.00 from that source, which money was paid to Erickson, and used by him in paying the balance due upon his house-purchase contract and for taxes thereon.

(6) Witness Vold further testified that a large volume of reinsurance business was placed by Erickson and Vold on behalf of the State Fire and Tornado Fund and the State Bonding Fund with the Western Fire Insurance Company of Fort Scott, Kansas, and the Western Casualty and Surety Company of Fort Scott, Kansas, the executive offices of which companies are located at Kansas City, Missouri; that the total premium cost for such reinsurance policies between 1937 and 1943, was \$114,920.48, and the commissions on which was \$34,011.09; that the Western Fire Insurance Company and Western Casualty and Surety Company were affiliated companies, managed by the same officers, the President of both companies being Ray B. Duboc of Kansas City, Missouri; that all of the commissions for such reinsurance policies were paid to the Kansas City Insurance Agency, a corporation, also affiliated with the other two insurance companies, and which served as an agency through which insurance commissions were distributed to individuals; that the reinsurance business placed with the Western Fire Insurance and Western Casualty and Surety Company was solicited on behalf of such companies by one L. M. Peet of Des Moines, Iowa; that the said L. M. Peet was an officer of the Farmers Union Life Insurance Company of Des Moines, Iowa, and has since become President of that company; that he was not an official of either the Western Fire Insurance Company or of the Western Casualty and Surety Company, or the Kansas City Insurance Agency, but, nevertheless, it was understood by all parties concerned; namely, Erickson, Vold, Duboc and Peet, that all of the commissions for reinsurance business placed with such companies, were to be distributed to the said L. M. Peet, and were, in fact, distributed to him; that

in November or December of 1938, Erickson and Vold went to Excelsior Springs, Missouri, where they had a conference with the said L. M. Peet; and that at such conference, a plan was discussed and agreed upon whereby it was understood and agreed that the commissions on all reinsurance business placed with said insurance companies were to go to L. M. Peet, through the Kansas City Insurance Agency, and were to be used by him in the purchase of the controlling interest in the Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of Erickson, Vold and Peet; and it was understood that in the event this plan was successful, Erickson was later to become an officer of the said Farmers Union Life Insurance Company, and Vold, Secretary; that the large volume of reinsurance placed with said Western Insurance Companies was given to said companies by Erickson and Vold in furtherance of such plan; that Peet did obtain commissions in sufficient amount to enable him to obtain control of said Farmers Union Life Insurance Company; that pursuant to such control, he became President thereof, which position he now holds in such company; and that L. M. Peet caused certain certificates of stock to be issued by said company, which certificates of stock were thereafter, so Erickson informed Vold, placed in a certain safety deposit box, in a bank at Des Moines, Iowa, for the benefit of Erickson and Peet; that no stock was issued to witness Vold, and that he has no interest in said company; that Committee Exhibits 14 to 26, inclusive, consisting of correspondence between Peet, Erickson, Duboc, Vold and others, relates to such reinsurance transactions, and to the plan described, for the purchase of the controlling interest in the Farmers Union Life Insurance Company of Des Moines, Iowa, through the use of commissions to be paid to Peet for reinsurance policies placed with the Western Companies.

(7) Witness Vold further testified that during 1939, and on other occasions, both Erickson and Vold acquired automobiles for their personal use from the Blaisdell Motor Company of Minot; that such cars were acquired by trading in cars then owned by Erickson and Vold, respectively, for new cars, and that the difference in price paid therefor, was taken care of by placing certain reinsurance business on behalf of the State Fire and Tornado Fund with J. C. Blaisdell, Sr., who operated an insurance agency at Minot, and who was the father of J. C. Blaisdell, Jr., the principal owner of the Blaisdell Motor Company; that such reinsurance was so placed with the understanding that the commission thereon was to be paid by Blaisdell Sr. to the Blaisdell Motor Company to the extent necessary to pay for such cars in full; that to the best of the witness' recollection Erickson and Vold each acquired two new cars by that procedure, and received the benefits of commission on reinsurance placed with J. C. Blaisdell, Sr., in the amount of approximately \$1200.00, or \$300.00 on each car transaction.

(8) Witness Vold further stated that while no records were kept on the amount of the commission "kickbacks" paid by the Murphy Insurance Agency, or H. T. Murphy, or his associates, to Erickson and Vold between 1937 and 1943 he estimated that such commission "kickbacks" would amount to between \$26,000.00 to \$30,000.00; that at various times, when there was no reinsurance available to be placed with

the insurance companies, Erickson and Vold followed the practice of decreasing the free insurance carried by the State Fire and Tornado Fund and increasing the reinsurance beyond the amount reasonably necessary to protect such fund, in order to create commissions to be distributed by Murphy, or his associates, in the form of commission "kickbacks"; and that he personally participated in some of the benefits of such commission "kickbacks".

(9) Witness Vold further testified that in the Fall of 1942, he obtained an option for the purchase of a college building located in St. Paul, Minnesota, for the joint benefit of himself and Oscar E. Erickson, with the idea of converting such building into an apartment house; that such option contract was extended for an additional sixty days on Erickson's recommendation; that the option was permitted to lapse and no investment was made in the property, except the cost of the option; witness stated that he and Erickson had expected to get money, with which to go through with this deal, from anticipated contributions from commissions on reinsurance to be written in 1943, but because of the failure of the 1943 Legislature to make an appropriation for reinsurance, the deal was dropped.

Witness OSCAR E. ERICKSON testified substantially as follows:

(1) That he has served as Commissioner of Insurance for the State of North Dakota since January 1st, 1937, during which time Otto R. Vold served as Manager of the State Fire and Tornado Fund and State Bonding Fund; that in June, 1940, he and Vold purchased the New Capitol Cafe from Nick Zappas, but doesn't know what the purchase price was; that the title to the cafe was taken in the name of Agnes Shirley, who held it for the benefit of Erickson and Vold; that the total investment of both Vold and Erickson was less than \$1500.00; that Erickson made his part of the investment from his own funds derived from salary, farming and other investments; denied that Vold obtained any funds for his benefit, or that he received any money from Murphy or any other insurance agent for investment in the cafe business. Witness stated that he paid Vold less than \$500.00 for Vold's fractional interest—not \$1000.00 as testified to by Vold; stated that he did not know anything about the records kept by Vold and Beth Murray, but admitted that Vold submitted financial statements to him on the cafe business from time to time; stated that all improvements were paid for from earnings of the business and not from further investments made by the partners; admitted that he received dividends from time to time from the cafe business, but did not recall the amounts; stated that he did not know where Vold obtained the funds for his share of the original investment; and stated that he (Erickson) still owns a one-third interest in the cafe business and that the other interests are owned by Arthur Gehring and James Glock.

(2) Witness further states that he owns three houses in Bismarck, the title for which are in his wife's name; denied that Vold furnished any money to assist Erickson in the purchase of these houses; or that any money came from Murphy or any other insurance agency; witness denied Vold's statements that additional salary in the amount of \$100.00 a

month was paid to Erickson from funds obtained by Vold from insurance commission "kickbacks".

(3) Witness stated that he had no knowledge of the St. Paul Insurance companies' reinsurance deals in 1941, or Murphy's and Koch's connection therewith; stated he received no part of the commissions collected by Murphy or Koch in connection with that transaction. Witness stated that he repurchased his Tappen farm in 1941, at a cost of \$2800.00; stated that he borrowed the money for that purpose from Elmer Olson, Charles Schwartz and James Kennelly; denied that he obtained any money from Murphy or Koch for use in making such repurchase; denied that he was involved with Vold in the proposed purchase of the college property in St. Paul, but admitted he sent Vold a telegram (Exhibit 46) in connection with such matter and that he discussed it from time to time with Vold.

(4) Witness further stated that he knew about the reinsurance transactions had with the Western companies, but denied any knowledge as to who got the commissions on the same; stated that he was acquainted with Peet, but didn't remember that Peet had interested himself in obtaining reinsurance business from the State Funds for the Western companies; stated that he never saw any of the correspondence between Peet, Vold, Duboc and himself, represented by Exhibits 14 to 26, inclusive; stated that he had no knowledge of the matters referred to in such correspondence; stated that Peet talked to Erickson at one time about becoming associated with the Farmers Union Life Insurance Company of Des Moines, Iowa, as an officer after Erickson's retirement from the office of Commissioner of Insurance, but denied that he had any plan or arrangement with Peet whereby Peet was to purchase the controlling interest in the Farmers Union Life Insurance Company for the benefit of Erickson and Peet; denied that he had any knowledge that Peet was to receive the commissions on reinsurance business placed with the Western companies and denied that he had any interest in the matter, or that any stock was issued to, or for his benefit in the Farmers Union Life Insurance Company of Des Moines, Iowa; denied that he talked with Peet at Excelsior Springs, Missouri, in December, 1938, about plans to acquire the controlling interest in the Farmers Union Life Insurance Company by the use of commissions created through reinsurance placed with the Western companies (as claimed by Vold) but admitted that Peet was there for a personal visit.

(5) Witness stated that he did repurchase the Erickson farm home located in Chippewa County, Wisconsin; but denied that any of the money used for that purpose was obtained from commissions on reinsurance placed with the Western Fire Insurance Company; stated that the money for that purpose, in the amount of \$2500.00 was borrowed by Erickson from Peet; and that the deed for the farm was turned over to Peet, who still holds it for security for the loan; denied that such loan had any connection with reinsurance business placed with the Western Insurance companies, or with any plans relating to Erickson's future prospects as an officer of the Farmers Union Life Insurance Company.

(6) Witness denied buying any new car or cars from the Blaisdell Motor Company of Minot; stated that he purchased

all of his cars from Corwin-Churchill Motor Company of Bismarck; stated that Vold had issued a check of \$1220.42 to J. C. Blaisdell, Sr., dated June 30th, 1939, in Erickson's absence, and expressed the opinion that such remittance may have related to some car purchase transaction had between Vold and the Blaisdell Motor Company, but witness denied that he had any knowledge of it. Witness stated that he was not involved in any insurance "kickbacks" deals with any insurance agency, or agents, whatsoever, and never received any money at any time from that source.

Witness BETH MURRAY testified substantially as follows: That she has been the Cashier of the State Fire and Tornado Fund since 1935 and has kept the books and records for that fund; stated that beginning with July 7th, 1941, she kept certain records for the New Capitol Cafe at the request of Vold; that between June 5th, 1940, and July 7th, 1941, such records had been kept by Vold. Witness exhibited such records to the Committee and explained the entries shown therein and the source of information obtained for such entries.

Witness GEORGE KELLY testified substantially as follows:

(1) That he is the Assistant Manager of the firm of Ernst & Ernst of Minneapolis, Minnesota, Certified Public Accountants; that he was employed as Auditor for the Interim Investigating Committee; and has been working on that assignment since July of 1944; that at the request of the Committee, he examined the books of the New Capitol Cafe, including the deposit account of the New Capitol Cafe in the Dakota National Bank & Trust Company, of Bismarck; that Committee's Exhibit "55" was prepared by him, which Exhibit sets forth the information obtained by him for such examinations; that the records of the New Capitol Cafe show a total investment by the partners of \$5800.00, of which \$3650.00 was made in currency and \$2150.00 in checks; that between June, 1940, and December 31st, 1943, Erickson and Vold withdrew \$3130.74 in the following proportions: Erickson \$1911.24; Vold \$1219.10; that the total profits withdrawn by them for that period was \$2241.89, which was all of the profits earned during that period. (See Exhibit 55 for details.)

(2) Witness further stated that subsequent to the taking of the testimony of the witnesses Vold and Erickson, he inspected certain records of the Murphy Insurance Company, First National Bank of Bismarck, and Dakota National Bank of Fargo; that the data obtained by the witness from such examinations disclosed the following: (1) that on June 5th, 1940, a check of \$1750.00 was issued by the Murphy Insurance Agency, signed by H. T. Murphy, Treasurer, payable to Frances Koch, bearing the endorsement of Frances Koch and H. T. Murphy, and cashed on the same date, at the First National Bank of Bismarck; (2) that on June 10th, 1940, a check for \$750.00 was issued by the Murphy Insurance Agency, signed by H. T. Murphy, payable to Frances Koch, endorsed by Frances Koch and H. T. Murphy and cashed on the same date at the First National Bank of Bismarck; (3) that both checks were charged to the personal account of Frances Koch in the Check Register of the Murphy Insurance Agency; that on June 13th, 1940, the Murphy Insurance Agency received two checks for \$1753.28 and \$767.16, respectively, writ-

ten by H. F. Morris on his personal account in the Dakota National Bank of Fargo; that such checks were entered in the cash receipts of the Murphy Insurance Agency, and deposited in the First National Bank of Bismarck to the credit of the Murphy Insurance Agency; that between May 2nd, 1941, and August 1st, 1941, six checks, totaling \$6000.00, were issued by the Murphy Insurance Agency signed by H. T. Murphy, payable to H. T. Murphy, endorsed by H. T. Murphy, and cashed, on the dates on which such checks were issued, at the First National Bank of Bismarck.

Witness FRANCES KOCH testified substantially as follows: that she has been employed by H. T. Murphy & Co., co-partners, consisting of H. T. Murphy and C. B. Little, and by the Murphy Insurance Agency, Inc., since 1920; that her husband, W. R. Koch, has been employed in the same insurance office since 1927; and that both Frances Koch and W. R. Koch have been in charge of the Murphy Insurance Agency since H. T. Murphy's death in August, 1941; that she kept the books and records in the manner directed by Murphy; that she was familiar with the reinsurance business handled by the State Fire and Tornado Fund by the Murphy Insurance Agency; that a portion of such business was not entered in the books; that a considerable portion of such reinsurance business was treated by Murphy as his individual business, and that he kept no personal records of such individual business, to her knowledge; that all of the records and files pertaining to H. T. Murphy's insurance business, including records of the Murphy Insurance Agency relating to Murphy's affairs, were destroyed by the Witness shortly after Murphy's death in 1941, at the request of Murphy. Witness identified two checks for \$1750.00 and \$750.00, respectively, issued by the Murphy Insurance Agency to herself in June, 1940, endorsed by her and H. T. Murphy, but stated that she had no recollection whatsoever as to what transactions those checks related to and had no interest therein whatsoever.

(2) Witness stated that she had no recollection or knowledge of two checks for \$1753.28 and \$767.16, respectively, entered in the cash book of the Murphy Insurance Agency on June 13th, 1940, and had no recollection or knowledge as to whether such checks represented commissions on reinsurance purchased by the State Fire and Tornado Fund from the Pennsylvania Fire Insurance Company and Commonwealth Insurance Company, written in June, 1940. Witness stated that she had no knowledge as to the source of the funds used by Vold in purchasing the New Capitol Cafe, nor of any business relations between Vold and the Murphy Insurance Agency, except that Vold purchased some fire insurance coverage from the Murphy Insurance Agency on the New Capitol Cafe.

(3) Witness stated that she knew about certain reinsurance transactions had with the St. Paul Fire Insurance Co., and Mercury Insurance Company in 1941, and about the difficulty encountered by her husband, W. R. Koch, in collecting the balance of the \$6000.00 in commissions from the St. Paul companies after Murphy's death in August of 1941; she stated that she knew that the original policies were cancelled and new policies issued, as a result of which commissions in the amount of \$6000 were credited to the account of herself

(Frances Koch) and her husband, W. R. Koch, on the books of the St. Paul insurance companies; that her husband, W. R. Koch, received \$3500.00 on such commissions, in currency, from the St. Paul companies, which was carried by him to Bismarck; and placed in a safety deposit box in the First National Bank; that such currency was thereafter expended by him for various purposes, including the payments of premiums on a life insurance policy in the Provident Life Company of Bismarck, and in the purchase of the Murphy summer home, located near Bismarck, from Mrs. Murphy; but denied that any of such money was paid to Oscar E. Erickson, or that her husband, W. R. Koch, advanced any money to Erickson in anticipation of collection of such insurance commissions. Witness stated that \$2500.00 of such commissions were deposited in a savings account in the First National Bank of St. Paul, to the credit of Frances Koch and W. R. Koch, which savings account still remains there.

(4) Witness stated that she had no knowledge as to whether Murphy ever made any financial advances to Vold, but said there was an exchange of checks from time to time, whereby Vold gave the Murphy Insurance Agency a personal check and received, in exchange, an agency check for the same amount, which check was then cashed by Vold; stated that she had no knowledge that anyone connected with the Murphy Insurance Agency advanced any money to Erickson. Witness identified six checks issued by the Murphy Insurance Agency to H. T. Murphy personally, at various times between May 2nd, 1941, and August 1st, 1941, totaling \$6000.00.

Witness W. A. HART testified substantially as follows: that he is the Manager of the Bismarck Insurance Agency, a corporation, of which he is the principal owner; that during the years of 1936, 1937, 1938, 1941, 1942, 1943 and 1944, he obtained reinsurance business from the State Fire and Tornado Fund, on which he earned commissions that averaged about \$1000.00 a year; that the maximum amount of commissions so earned was between four and five thousand dollars, covering business written in either 1941 or 1942; that such commissions ranged from 15 to 25 per cent of the premiums paid for such reinsurance business; that he never made any financial advances to Oscar E. Erickson, or other contributions, except political contributions in moderate amounts; that he never made any contributions to Erickson or Vold, or to anyone in consideration of reinsurance received or anticipated, nor was there any arrangement between himself, or the agency represented by him for the payment of so-called insurance commission "kickbacks" on reinsurance handled by his agency; that he has made some personal loans to Otto R. Vold, all of which have been repaid.

Witness further stated that he acted as countersigning agent for the Western Fire Insurance Co. of Fort Scott, Kansas, on policies written by that company to the State Fire and Tornado Fund, but that he never received any commissions on such insurance business; that he has no knowledge as to who did receive the commissions on that line of business; that he countersigned such reinsurance policies as an accomodation to the Western Fire Insurance Co., because he was receiving a large bond business from the Western Casualty and Surety Company, a company affiliated with the Western Fire Insurance Company.

ANALYSIS OF EXHIBITS

Exhibit No. 1 is an agreement executed by Oscar E. Erickson and Otto R. Vold, dated August 2nd, 1941, certifying that the New Capitol Cafe is owned jointly by Erickson and Vold in proportions of one-third by Vold and two-thirds by Erickson.

Exhibit No. 2 is a copy of the State Income Tax Return for 1943, made on behalf of the New Capitol Cafe, showing the partnership interest of Erickson and Vold, and the profits of the business for that year.

Exhibit No. 3 is a Bill of Sale, executed by Otto R. Vold to Arthur Gehring, whereby Vold conveyed his thirty per cent interest in the New Capitol Cafe to Gehring, for a consideration of \$642.84.

Exhibit No. 4 is a financial statement of the New Capitol Cafe, showing the financial condition of the New Capitol Cafe as of January 1st, 1944, together with the Profit and Loss statement for the year of 1943.

Exhibit No. 5 is a notice of delinquent items due to the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, as of December 1st, 1940, from Oscar E. Erickson, on contract No. 1527-83.

Exhibit No. 6 is a list of reinsurance policies purchased on behalf of the State Fire and Tornado Fund, from the St. Paul Fire and Marine Insurance Company and Mercury Insurance Company, on which the premiums totaled \$34,033.52.

Exhibit No. 7 is a copy of a letter written by O. R. Vold, Manager of the State Fire and Tornado Fund, to A. C. Brunsvold, State Agent, dated September 8th, 1941, relating to the cancellation of reinsurance policies previously written for H. T. Murphy, Agent, and authorized reissuance of such policies for the account of William Koch or Frances Koch.

Exhibit No. 8 is a photostatic copy of check issued by the St. Paul Fire and Marine Insurance Company payable to the order of the State Fire and Tornado Fund, in the amount of \$4740.35, dated October 10th, 1941, representing return of the premiums on cancelled policies, and showing the endorsements thereon by the State Fire and Tornado Fund, the Mercury Insurance Company and the St. Paul Fire and Marine Insurance Company.

Exhibit No. 9 is a photostatic copy of check issued by the Mercury Insurance Company, payable to the State Fire and Tornado Fund, for \$15,280.66, dated October 10th, 1941, representing return of premiums on cancelled policies with endorsements thereon by the State Fire and Tornado Fund and Mercury Insurance Company.

Exhibits No. 10, 11 and 12 are copies of Otto R. Vold's individual State Tax Returns for the year of 1941, 1942 and 1943, respectively.

Exhibit No. 13 is an agent's license for 1941, issued to Otto R. Vold by Oscar E. Erickson, Commissioner of Insurance, dated July 1st, 1941.

Exhibit No. 14 is a letter written by L. M. Peet, Vice-President of the Farmers Union Life Insurance Company of

Des Moines, Iowa, to Oscar E. Erickson, dated April 22nd, 1941, to which there is attached lists of policies No. G 68526 to G 68625, inclusive, of the Western Fire Insurance Company, and which letter solicits the renewal of such policies representing a total premium of \$19,757.44, due August 1st, 1941, and containing other pertinent matter relating to the business relationship between L. M. Peet and Oscar E. Erickson.

Exhibit No. 15 is a letter written by Ray B. Duboc, President of the Western Fire Insurance Companies, to Mr. L. M. Peet, c/o Farmers Union Life Insurance Company, dated July 9th, 1941, which letter the witness Vold identified as having been forwarded to the State Department of Insurance by L. M. Peet.

Exhibit No. 16 is a letter written by L. M. Peet, to Otto R. Vold, dated July 23rd, 1941, wherein Peet requests Vold to arrange matters so that extra fire and tornado business for the Westerns shall get through for payment by July 31st, and containing other matters showing Peet's interest in reinsurance business for the Western Insurance Companies.

Exhibit No. 17 is a letter written by L. M. Peet to Otto Vold, dated January 12th, 1939, in which Peet asks Vold to let him know as soon as possible what can be worked out between them between January 12th and January 20th, 1939, to which letter there is attached a mimeographed Notice of regular meeting of stockholders of the Farmers Union Life Insurance Company and a mimeographed letter of the Farmers Union Life Insurance Company, both signed by Tom White, President, both dated January 11th, 1939, and both relating to the sixth annual meeting of the stockholders of the Farmers Union Life Insurance Company, scheduled to be held on January 26th, 1939.

Exhibit No. 18 is a letter written by L. M. Peet to Otto Vold, dated March 4th, 1941, relating to reinsurance on County Treasurer Bonds.

Exhibit No. 19 is a letter written by L. M. Peet to Oscar E. Erickson, dated May 13th, 1941, asking Erickson to let him know when Vold will send certain requisitions for reinsurance for the Westerns.

Exhibit No. 20 is a letter written by C. C. Otto, underwriter for the Western Insurance Companies, to O. R. Vold, dated January 7th, 1939, relating to reinsurance matters.

Exhibit No. 21 is a telegram by the Western Fire Insurance Company to O. R. Vold, dated January 12th, 1939, asking for the information requested in his letter of January 7th. (Exhibit 20).

Exhibit No. 22 is a copy of a letter written by O. R. Vold to C. C. Otto, underwriter for the Western Fire Insurance Company, dated January 20th, 1939, acknowledging letter of January 7th and telegram of January 12th. (Exhibits 20 and 21).

Exhibit No. 23 is a copy of a letter written by Otto R. Vold to Ray B. Duboc, President of the Western Fire Insurance Company, dated April 3rd, 1941, relating to certain reinsurance contract to commence on August 1st, 1941, and acknowl-

edging receipt of voucher for \$10,000 for premium due on such reinsurance contract.

Exhibit No. 24 is a copy of a letter written by O. R. Vold to Ray B. Duboc, Western Fire Insurance Company, dated March 29th, 1941, relating to a certain windstorm excess reinsurance contract described therein.

Exhibit No. 25 is a copy of a letter written by Oscar E. Erickson to O. R. Vold, dated August 3rd, 1941, which letter was identified by Vold as including a reference to L. M. Peet.

Exhibit No. 26 is a letter by Ray B. Duboc, President of Western Fire Insurance Company to L. M. Peet, dated January 20th, 1943, relating to reinsurance matters, which have been made the subject of a legislative committee investigation, and other matters.

Exhibit No. 27 is a copy of a list of premiums paid by the State Fire and Tornado Fund to the Western Fire Insurance Company on reinsurance policies as shown therein.

Exhibit No. 28 is a letter by H. E. Wildfang to Oscar Erickson, dated August 27th, 1941, relating to a \$400 note, signed by Agnes Shirley, O. R. Vold and Erickson, copy of such note is attached thereto.

Exhibit No. 29 is a copy of a letter written by Vold to Erickson, dated August 14th, 1941, relating to the \$400 note described in Exhibit 28.

Exhibit No. 30 is a letter from the Klein Lumber Company to Oscar E. Erickson, dated February 12th, 1941, asking for remittance of \$244.90 on the Capitol Cafe account, to which there is attached itemized statements for material sold to the New Capitol Cafe.

Exhibit No. 31 is a letter written by Agnes Shirley, Manager of the New Capitol Cafe, to Vold, dated August 19th, 1941, relating to New Capitol Cafe matters, together with copy of letter written by Vold to Miss Shirley, dated August 21st, 1941.

Exhibit No. 32 is a copy of letter written by Vold to Erickson dated October 28th, 1941, relating to various matters, including affairs of the New Capitol Cafe.

Exhibit No. 33 is an original letter written by Oscar E. Erickson to Mr. O. R. Vold, dated August 8, 1941.

Exhibit No. 34 is an original telegram sent by Oscar E. Erickson to O. R. Vold, dated November 28th, 1941, relating to New Capitol Cafe matters.

Exhibit No. 35 is a letter from "Cap" Murphy (H. T. Murphy) to Vold, dated August 8th, 1941.

Exhibit No. 36 is a telegram sent by H. T. Murphy to Otto Vold, dated August 20th, 1941.

Exhibit No. 37 is an application for travel authorization for O. R. Vold, made by Oscar E. Erickson, dated July 21st, 1941.

Exhibit No. 38 is a letter written by Bill Koch to Vold, dated October 15th, 1941.

Exhibit No. 39 is an airmail letter written by Bill Koch to Otto Vold, dated October 18th, 1941.

Exhibit No. 40 is a letter written by Oscar E. Erickson to Vold, dated September 1st, 1941, in which Erickson asked Vold to arrange a loan for him (Erickson) for \$2500.00.

Exhibit No. 41 is a statement of premiums paid by the State Fire and Tornado Fund on reinsurance policies obtained through the Murphy Insurance Agency, Bismarck Insurance Agency and Byrne Insurance Agency.

Exhibit No. 42 is a memorandum, identified by the witness Vold as being in the handwriting of Oscar E. Erickson.

Exhibit No. 43 is a copy of a letter from Vold to Oscar E. Erickson, dated November 24th, 1941.

Exhibit No. 44 is a letter written by Oscar E. Erickson to Otto Vold, dated December 26th, 1941.

Exhibit No. 45 is a letter written by Oscar E. Erickson to Mrs. Otto Vold, dated November 7th, 1941, together with a copy of a letter written by Mrs. Otto Vold to Oscar Erickson, dated November 10th, 1941, acknowledging receipt of Erickson's letter of November 7th.

Exhibit No. 46 is an original telegram from Oscar Erickson to Vold, relating to an option on a St. Paul building.

Exhibit No. 47 is an Option Contract entered into between the American Lutheran Church and Otto R. Vold, dated October 5th, 1942, and relating to the college building located in St. Paul, previously described by Vold.

Exhibit No. 48 is a pamphlet prepared by and submitted for the record by the Witness Vold.

Exhibit No. 49 is a memorandum prepared by Vold and Murphy, relating to the classifications of building for insurance purposes and itemizing certain political campaign commitments and advances claimed by Vold to have been made by Murphy in Erickson's behalf in 1936.

Exhibit No. 50 is a letter received by Vold from H. T. Murphy, written February 22nd, 1940, together with Vold's reply thereto.

Exhibit No. 51 is a letter written by W. A. Mueller, Insurance Commissioner of South Dakota, to Senator J. B. Bridston, dated December 21st, 1944.

Exhibit No. 52 is a letter written by C. C. Fraizer, Director of Insurance of the State of Nebraska, written to Senator J. B. Bridston, dated December 23, 1944.

Exhibit No. 53 is a letter written by M. E. Holohan, Chief Deputy, Department of Insurance, State of Illinois, written to J. B. Bridston, on December 21st, 1944.

Exhibit No. 54 is a letter written by Morvan Duel, Commissioner of Insurance, State of Wisconsin, written to J. B. Bridston, dated January 11th, 1945.

Exhibit No. 55 is a report prepared by George Kelly, Committee's Auditor, containing various financial statements and analysis of the New Capitol Cafe, covering the period from June 5th, 1940, to December 31st, 1943.

Exhibit No. 56 is a report prepared by George Kelly, Com-

mittee's Auditor, containing a summary of deposits in the individual account of Oscar E. Erickson in the Bank of North Dakota, for the period of March 31st, 1938, to December 31st, 1943.

Exhibit No. 57 is a letter written by B. Robinson, Motor Vehicle Registrar, to Arthur E. Johnson, Chairman, Interim Investigating Committee, dated January 26th, 1945, and relating to the registration and title record of a certain 1938 Plymouth Sedan car.

Exhibit No. 58 is a letter written by B. Robinson, Motor Vehicle Registrar, to Arthur E. Johnson, Chairman, Interim Investigating Committee, dated February 7th, 1945, relating to the registration and title record of a certain Chrysler Sedan car described therein; and Exhibits 58(a), 58(b), 58(c) and 58(d) are photostatic copies of the title records described in Exhibits 58.

Exhibit No. 59 is a photostatic copy of a SF & T Fund Voucher, executed by J. E. McKoane, of Minot, N. D., for the sum of \$1577.62, dated June 30th, 1939, approved by Otto R. Vold and Oscar E. Erickson, and bearing voucher No. 5818.

Exhibit No. 60 is a photostatic copy of a SF & T Fund Voucher, executed by J. C. Blaisdell, Sr., of Minot, N. Dak., for the sum of \$1220.42, dated June 30th, 1939, approved by Otto R. Vold and Oscar E. Erickson, and bearing fund voucher No. 5817.

Exhibits No. 61 to 65, inclusive, are copies of individual income tax returns filed by Oscar E. Erickson and Ella B. Erickson for years ended June 30th, 1940 to June 30th, 1944, inclusive.

Exhibit No. 66 is a summary of the income tax returns filed by Oscar E. Erickson and Ella B. Erickson for the fiscal years June 30th, 1940, to June 30th, 1944, inclusive, prepared by George Kelly, Committee's Auditor.

Oscar E. Erickson's Exhibit A is an affidavit of Robert H. Strutz, submitted for the record by Oscar E. Erickson.

Oscar E. Erickson's Exhibits B & C, respectively, are photostatic copies of original State Warrants issued in payment of the SF & T Fund Vouchers, of which Committee's Exhibit Nos. 59 and 60, are photostatic copies.

#### FINDINGS

Your Committee makes the following Findings:

1. BOND TRANSACTIONS. During 1937, the Fire and Tornado Fund and the Bonding Fund purchased bonds issued by several counties of the state, or parts of such issues, principally from V. W. Brewer Company or dealers who were associated with that organization in the transactions. The dealers made a gross profit of \$107,619.09 on the sale of these bonds to the above funds and other state departments. This profit was made without the dealers investing any of their own funds in the transactions, as the purchases by the dealers were financed by The Bank of North Dakota.

On August 17th, 1938, the Hail Insurance Department and the Fire and Tornado Fund sold \$660,000.00 and \$181,000.00

principal amounts, respectively, of several series of North Dakota Real Estate Bonds at a total premium of \$80,932.10. On the same day, the Bank sold \$825,000.00 principal amount of these bonds to V. W. Brewer Company at a premium of \$78,863.62, which was the approximate cost to the Bank. V. W. Brewer Company took delivery of these bonds on several dates between September 29th and December 31st, 1938, but paid the Bank a total premium of only \$65,564.68, or \$13,298.74 less the contract price. The records of the bank show that on December 31st, 1938, it delivered \$285,000.00 of these bonds at a premium of \$17,527.50, the records showing that this was only a part of the premium due on these bonds. Investigation of market prices of these bonds at December 31st, 1939, shows that the Bank should have collected the full amount of the premium called for by its sale contract.

In addition to the \$13,000.00 reduction in the contract price of the \$825,000.00 of bonds sold to Brewer, your Committee finds that the contract price was \$25,000.00 less than the market value of these bonds on the date of the sale, August 17th, 1938. This makes a total loss of \$38,000.00 to the Hail Insurance Department, the State Fire and Tornado Fund and The Bank of North Dakota on this deal.

**2. REINSURANCE ON HAIL LOSSES.** The Hail Insurance Department purchased a policy of reinsurance from Lloyds of London through R. N. Crawford & Co., Inc., Chicago, whereby the Hail Insurance Department reinsured its 1943 hail losses for 90 per cent of the excess of 9 per cent of the insurance on which losses were sustained, with a limit of 3 per cent thereof, or \$200,000.00 maximum. The policy provides for the payment of a premium of 1 per cent of the total insurance written by the Hail Insurance Department in 1943.

Payments made on this policy are summarized as follows:

Premiums .....	\$116,242.23
Federal Tax on deposit premium	250.00
Service charge .....	8,500.00
	\$124,992.23

No appropriation was made by the Legislature for this purpose, without which the Attorney General ruled on March 21st, 1944, the expenditure is illegal. The Hail Insurance Department collected the maximum of \$200,000.00 on this policy, but this does not condone the purchase of the policy in the first place, as the Commissioner of Insurance would have no way of knowing how much the losses would be in the ensuing season. Had a similar policy been purchased for the 1944 season, the premium without any service charges added, would have been approximately \$142,000.00 and there would have been no recovery thereunder.

As noted above, a service charge of \$8500.00 was paid on the 1943 policy. The policy makes no mention of such charge being required under the contract, and this Committee can see no justification for it. R. N. Crawford & Co., Inc., refused to show a representative of this Committee their records pertaining to any distribution they may have made of this service charge to others. As this company is not

licensed to do business in North Dakota, no means were available to this Committee to force them to do so.

3. CATASTROPHE INSURANCE. Chapter 152 of the Session Laws of 1943 provides for the procuring and keeping in force of excess catastrophe insurance against the hazards of fire and windstorm on all property insured in the State Fire and Tornado Fund, except in the case of fire proof buildings in protected areas which protection is to cover the hazards of windstorm only. No such insurance has as yet been procured, and no particularly diligent effort appears to have been put forth by the Commissioner of Insurance to obtain such coverage.

The Fund has purchased insurance on the inventories of the Twine and Cordage Plant and the State Mill and Elevator from outside insurance companies, but none of the policies contain provisions whereby the insurance companies are liable only for losses in excess of \$100,000.00. This is the type of insurance which the statute intended the Fund to procure, which intent was supported by an opinion of the Attorney General which had been rendered to the Fund prior to the time the insurance purchased was paid for.

Bids were called for and received on the insurance placed on the Mill and Elevator inventories, but this apparently was a mere formality as the invitation to bid called for bids on only \$1,000,000.00 coverage, while the insurance actually purchased was for \$2,000,000.00 provisional coverage. The purchase was made from Murphy Insurance, Inc., who had written the policies and delivered them to the Fund about three months before the bids were called for. The Fund, however, did not issue its warrant to pay for the policies until after the bids had been opened.

4. REINSURANCE NOT CANCELLED. Chapter 159 (Section 21) of the Session Laws of 1943 provides that all reinsurance policies held by the Fire and Tornado Fund shall be cancelled as of August 1st, 1943, and all returned premiums shall be added to the reserve fund. Not all of such policies were cancelled, and the return premiums on those not cancelled, computed on the short rate basis, amounts to \$3846.33.

5. PREMIUMS AND ASSESSMENTS. Chapter 159 of the Session Laws of 1943 provides for the collection of premiums on property which has not been insured by the Fire and Tornado Fund for a period of five years, and that thereafter it shall be subject to assessment only. Test checks of the computations of premiums charged on policies issued by the Fund since August 1st, 1943, disclose that numerous errors were made therein.

6. REFUNDS ON ASSESSMENTS COLLECTED. The Special Session of 1944 appropriated \$31,000.00 of the funds of the Fire and Tornado Fund with which to repay assessments made and illegally collected in 1943. An additional amount of \$1619.25 will be required to repay all such items collected.

7. APPROPRIATIONS FOR REINSURANCE. The Legislature placed limits on the amounts to be expended for

reinsurance by the Fire and Tornado Fund for the bienniums ended June 30th, 1941, and June 30th, 1943, and in its 1943 session eliminated the reinsurance provisions of the law, except as to reinsurance on extraordinary risks, under certain conditions. The cost of reinsurance exceeded the appropriations in the following amounts:

Biennium ended June 30th, 1941.....	\$20,023.91
Biennium ended June 30th, 1943.....	68,209.39
Period July 1st, 1943 to August 31st, 1944	11,491.29

\$99,784.87

The total cost of reinsurance was not reflected by the accounts of the Fund as a result of certain practices and procedures, the principal of which are summarized as follows:

(1) Checks and warrants received by the Fund in payment of premiums due it, in the total amount of \$25,880.63, were not entered on the books of the Fund, nor were they deposited with the State Treasurer as required by law. Instead, the checks and warrants were endorsed by the Fund and used by it to pay for reinsurance purchased.

(2) Premiums collected by the Fund on those risks which were fully reinsured and premiums collected on increased coverage where such increases were fully reinsured were applied on the records as credits to the cost of reinsurance to the extent of \$85,394.29.

Prior to July 1st, 1939, the Legislature had not restricted the amount which the Fund could spend for reinsurance. In May and June, 1939, the Fund paid out \$41,788.86 for reinsurance which did not become effective until August 1st, 1939. This amount is not included in the summary of expenditures in excess of appropriations shown above.

8. NET RETENTIONS. State Fire and Tornado Fund Law provided for the classification of different types of buildings into six groups and sets forth the limits of the risks that could be carried by the Fund in the respective classifications. Up to August 1st, 1938, it had been the general policy of the Fund to carry up to the limits provided by the statutes as the net retention. At that date, and as of August 1st, 1940, and November 1st, 1940, the Fund reduced the amounts it would carry as the net retention on certain classes of risks, and increased the amounts of insurance purchased from outside companies in amounts corresponding to the reductions in its net retentions.

The State Fire and Tornado Fund Law also provided for the granting of free insurance up to the amount of the net retention of the Fund on those risks which had been insured by the Fund for five consecutive years. When the reductions of the net retentions of the Fund were made as of the above-named dates, the net retentions of the Fund in many cases were represented by free policies in force. The reductions in the net retentions were effected by purchasing insurance from outside companies, but charges were not made to those to whom free policies had been issued so as to reduce the amount of free insurance to the new net retention of the Fund. Payments of premiums to insurance companies where the net retention of the Fund were represented by free

policies on which no charges were made to the assured amounted to \$24,236.89.

The same effect was produced in certain other cases where the Fund had written policies increasing the amount of insurance on risks without first reaching agreements with the assured, which policies were eventually cancelled by the Fund; but on which the Fund had purchased policies from outside companies for reinsuring the proposed increased insurance. In those cases, the net amount of the premiums paid to insurance companies, for which no collections were made from those insured amounted to \$3,616.98.

When the free policies referred to above expired, they were renewed at the reduced amounts, and the assured was charged for the premium or the difference between the old and new free policies for the ensuing term of the new policies, usually two years.

During the period from January 1st, 1935, to December 1st, 1942, the Fire and Tornado Fund paid out \$694,000.00 in premiums to insurance companies and collected \$97,000.00 for losses incurred, leaving the net cost of reinsurance from that period at \$597,000.00.

9. COMMISSIONS ON REINSURANCE. Your Committee finds that between the years of 1937 and 1943, inclusive, the Directors of the State Fire and Tornado Fund and State Bonding Fund, namely Oscar E. Erickson and Otto R. Vold, purchased on behalf of such funds, a large volume of reinsurance policies for which approximately \$664,000.00 was paid in premiums through various insurance agencies, agents, brokers and promoters, both within and without the State of North Dakota; that, in the course of the negotiation of a considerable portion of such reinsurance business, a collusive and corrupt plan and scheme was entered into and carried out, whereby, in consideration of the placing of such reinsurance with certain agents, agencies or companies, a substantial part of commissions collected thereon by such agents, was distributed to the Directors of such State Funds personally, or used for their personal benefit, which commission distributions were commonly known as insurance commission "kickbacks"; that in furtherance of such collusive and corrupt plan and scheme the following reinsurance transactions, agents, agencies, brokers, and promoters were involved.

A. MURPHY INSURANCE, INC., ET AL—REINSURANCE. That between 1937 and 1943, reinsurance was purchased on behalf of the State Fire and Tornado Fund, through or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or Henry T. Murphy, also known as H. T. Murphy, its Manager, and other employees thereof, the aggregate premiums for which exceeded \$200,000.00, and the commissions on which were not less than 25 per cent of the premiums paid; that, from time to time, and on various occasions, H. T. Murphy, and other representatives of such agency, distributed to the Directors of such State Fire and Tornado Fund, namely, Oscar E. Erickson and Otto R. Vold, for their personal use, a share of the commissions collected on such reinsurance business, in varying amounts, and generally in currency, aggregating between twenty-five and thirty

thousand dollars; that, among others, the following reinsurance deals were involved;

(1) That on or about the 5th day of June, 1940, a business enterprise known as the New Capitol Cafe, located at 107 5th Street, Bismarck, North Dakota, was purchased by and on behalf of Oscar E. Erickson and Otto R. Vold, jointly, on a 50-50 basis and for a consideration of \$2300.00; that title to such business was taken in the name of Agnes Shirley, for the benefit of Oscar E. Erickson and Otto R. Vold, the real owners thereof, and whose connection therewith, as owners, was concealed; that from time to time and between June 5th, 1940, and December 31st, 1943, additional investments were made by Vold and Erickson in said business, bringing the total capital investment to \$5800.00 all of which, including the purchase price, was obtained from H. T. Murphy, or his associates, and represented insurance commission "kickbacks" on reinsurance written on behalf of the State Fire and Tornado Fund, through or for the account of Murphy Insurance Agency, or H. T. Murphy, its Manager, and at least a portion of which reinsurance business was written in June, 1940, for the specific purpose of providing insurance commissions from which funds could be obtained to finance the purchase of the said New Capitol Cafe by Erickson and Vold; that from time to time, between June, 1940, and December 31st, 1943, the joint owners, Oscar E. Erickson and Otto R. Vold, withdrew for their personal use, all of the profits earned in such cafe business, and in addition thereto, a part of the capital investment, which withdrawals totalled the sum of \$3130.74, of which Oscar E. Erickson received \$1911.24 and Otto R. Vold received \$1219.10, and that Oscar E. Erickson still retains an interest in the said New Capitol Cafe.

(2) That during the summer of 1941, reinsurance was purchased on behalf of the State Fire and Tornado Fund, from the St. Paul Fire and Marine Insurance Company of St. Paul, and the Mercury Insurance Company of St. Paul, the premiums on which totalled \$34,033.52; that such reinsurance was written directly with said companies but that the commissions thereon, in the amount of \$8508.38 were credited to the account of H. T. Murphy; that \$2500 thereof was paid to the said H. T. Murphy in July, 1941, and approximately \$6000.00 thereof was credited to his personal account on the books of said companies at St. Paul, that on or about August 1st, 1941, \$1000.00 in currency was paid to the said Oscar E. Erickson, by said H. T. Murphy from commissions received by him on such reinsurance business; who thereupon paid said money to said Otto R. Vold in payment for the purchase of a part interest in the New Capitol Cafe; that after H. T. Murphy's death on August 24th, 1941, steps were taken by W. R. Koch, an employee of the Murphy Insurance Agency, whereby \$3500.00 of such commissions were released to him by the St. Paul companies, which money was carried to Bismarck by the said W. R. Koch in currency; and in the opinion of your committee, a substantial part thereof, or its equivalent, in the form of financial advancements, was delivered to the said Oscar E. Erickson by W. R. Koch for the purpose of enabling Erickson to repurchase his farm located at Tappen, North Dakota, from the Federal Land Bank of St. Paul, the cost of which was \$2800.

(3) That between 1939 and 1943, Vold provided Erickson with funds in the amount of approximately \$3800.00 for the

purpose of enabling Erickson to meet installments due on the purchase of a residence, located on Seventh Street, in Bismarck, North Dakota, and for the payment of delinquent taxes; that such funds were obtained by purchasing reinsurance on behalf of the State Fire and Tornado Fund, from or through agents who returned said commissions to Vold for payment to Erickson, for his use in meeting such obligations.

B. WESTERN FIRE INSURANCE COMPANY, ET AL—  
REINSURANCE.

(1) That between 1937 and 1943, reinsurance was purchased on behalf of the State Fire and Tornado Fund and State Bonding Fund, from the Western Fire Insurance Company of Fort Scott, Kansas, a Kansas Corporation; and the Western Casualty and Surety Company of Fort Scott, Kansas, a Kansas Corporation, which companies were owned and managed by the same officers, who maintained headquarters at Kansas City, Missouri; that the premiums paid for such reinsurance business exceeded \$114,000.00 and commissions thereon exceeded \$34,000.00; that said commissions were paid direct to the said Westerns, which companies paid the whole of such commissions on such reinsurance to the Kansas City Insurance Agency, a corporation located at Kansas City, Missouri, an affiliate of the said Westerns; that one L. M. Peet, now President of the Farmers Union Life Insurance Company of Des Moines, Iowa, personally solicited said reinsurance business on behalf of the Westerns, although he does not appear to have been an official or an employee of either of the said Westerns; that on or before December, 1938, a collusive and corrupt agreement and plan was entered into between Oscar E. Erickson and Otto R. Vold and L. M. Peet—and possibly one Ray B. Duboc, President of the said Westerns, whereby it was understood and agreed that all commissions on reinsurance placed with the said Westerns on behalf of said State Funds, were to be paid to the said Kansas City Insurance Agency and by it paid to the said L. M. Peet, to be by him used in purchasing a controlling interest of the said Farmers Union Life Insurance Co.; the said Oscar E. Erickson was to become an officer of the said Farmers Union Life Insurance Co.

(2) That in December, 1940, Oscar E. Erickson was in need of money in the amount of \$711.13 to take care of an installment due on a certain contract for repurchase of the Erickson farm located in Chippewa County, Wisconsin, from the Northwestern Mutual Life Insurance Company of Milwaukee; that in order to provide such funds, reinsurance was purchased on behalf of the said Fire and Tornado Fund by Erickson and Vold from the said Western Fire Insurance Company of Fort Scott, Kansas, at a premium cost of \$2871.91, the commissions for which business were paid to the said L. M. Peet; that the said L. M. Peet thereupon paid such commissions to the local agent of the Northwestern Mutual Life Insurance Company, located in Chippewa County, Wisconsin, for the account of the said Oscar E. Erickson on said repurchase contract.

C. J. C. BLAISDELL, Sr., et al — REINSURANCE.

(1) That on July 3rd, 1939, Oscar E. Erickson purchased from the Blaisdell Motor Company of Minot, North Dakota, a new Chrysler Sedan Car; that Ella B. Erickson, wife of

Oscar E. Erickson, applied for a Certificate of Title for said motor vehicle, as owner, as of July 5th, 1939, and received such Certificate of Title on July 13th, 1939; that as part of the consideration for such purchase, Oscar E. Erickson traded to the said Blaisdell Motor Company a certain 1938 Plymouth Sedan car, title for which was carried in the name of Ella B. Erickson, and that the balance of the purchase price for said Chrysler Sedan car was taken care of by the purchase of reinsurance on behalf of the State Fire and Tornado Fund through one J. C. Blaisdell, Sr., of Minot, on or about June 30th, 1939, the commissions on which were paid to the Blaisdell Motor Company for the account of Oscar E. Erickson on such car deal.

(2) That between 1939 and 1943, Otto R. Vold purchased two Plymouth Sedan cars from the Blaisdell Motor Company of Minot, each in different years; that as a part of the consideration therefor, on each occasion, a Plymouth car was traded in on the deal and the balance of the purchase price was taken care of by the purchase of reinsurance on behalf of the State Fire and Tornado Fund from the said J. C. Blaisdell, Sr., the commissions on which were paid to the Blaisdell Motor Company for the account of Otto R. Vold on such car deal.

### III RECOMMENDATIONS

In view of the conditions disclosed in the foregoing report, your Committee submits the following recommendations:

1. That legislation be adopted transferring the control, management, and administration of the State Hail Insurance Fund, State Bonding Fund and State Fire and Tornado Fund from the Commissioner of Insurance to the State Industrial Commission.

2. That amendatory legislation be adopted requiring compliance with the provisions of Chapter 152 of the Session Laws of 1943, relating to the purchase of Catastrophe Insurance by the State Fire and Tornado Fund.

3. That amendatory legislation be adopted limiting the amount of fees payable to Examiners of Insurance Companies to \$15.00 per day, plus necessary expenses.

4. That the Attorney General be requested to review the evidence submitted in the report, for the purpose of ascertaining whether any violations of law, or breaches of official duty on the part of any public officers, or public employees, have occurred; and if so, to take such legal actions, criminal and civil, on behalf of the State as seems appropriate in the premises.

5. That the attention of the State Tax Commissioner be directed to possible income tax evasions disclosed by the evidence submitted in this report.

Respectfully submitted,

INTERIM INVESTIGATING COMMITTEE

By Representatives: A. C. JOHNSON, Chairman

L. E. CALLAHAN

CORNELIUS BYMERS

EDWIN L. BAGGE

By Senators:

J. B. BRIDSTON, Secretary

FRANKLIN PAGE

I object to Committee Recommendations in Sections 1, 4 and 5; but will concur in Sections 2 and 3.

WM. A. THATCHER.

The Interim Investigation Committee met at Room G-1 of the House Committee Rooms on Monday, January 15, 1945, at 10 a. m. pursuant to the call of Representative A. C. Johnson.

**PRESENT:** Senator Franklin Page  
 Representative L. E. Callahan  
 Representative Cornelius Bymers  
 Senator J. B. Bridston  
 Representative Edwih L. Bagge  
 Senator Wm. A. Thatcher, absent  
 Representative A. C. Johnson

There also appeared George F. Shafer, Counsel for the Committee and George Kelly, Auditor for Ernst & Ernst, official auditors for the Committee and Otto R. Vold in response to a subpoena.

Ethelyne Jorve, Official Stenographer for the Committee.

**JOHNSON:** The purpose of this meeting is for further investigation by the firm of Ernst & Ernst. The legislative interim investigating committee subpoenas were served on Otto Vold who appeared before the committee at 10 a. m. January 15, 1945, who is now present.

Otto Vold was duly sworn in by Attorney George Shafer.

**JOHNSON:** Do you know why you were subpoenaed?

**WITNESS:** I do.

**JOHNSON:** And you were willing to give this committee a statement on matters that you have pertaining to Oscar E. Erickson and the Insurance Department?

**WITNESS:** Yes.

**JOHNSON:** Will you make your statements now? Go right ahead.

**WITNESS:** It is my desire to make a statement and give the details to the committee which they have been informed to inquire into.

**BYMERS:** May I ask the witness a question? You will find on page 23 of this report of Ernst & Ernst a letter dated April 22, 1941 from Des Moines, Iowa addressed to Mr. Oscar Erickson, Department of Insurance, State of North Dakota, Bismarck and the letter is as follows:

Dear Oscar:

I am enclosing copy of the coverage that the Western has on the State Fire and Tornado Fund, representing a total premium of \$19,757.44, and I believe either all or most of them expire the first of August and am wondering if Otto would prepare the requisitions for the renewal of this business and send them to me.

as soon as possible or if in his judgment a renewal order is all that is necessary, then return these copies to me and I will have the Western make up the policies from the information they now have.

I think it is important that you insist that Otto take care of this at once, so that we can accomplish some of the things that we have been talking about. I am also satisfied that it is important that you and I visit as quickly as possible, because we have got to formulate some definite plan, so that you will know how far you might go there and how far I should go here. I expect I will be gone all of next week, starting April 28th, but I will be back here by May 5th.

Yours very truly

L. M. Peet (Signed)  
Vice-President

Could you throw some light on those things?

WITNESS:

I think that the general statement that I will make will cover that. First, I would like to say that I would like to have a copy of my testimony that I gave here before this committee. I am in no hurry about it. I can get it at the end. My name is OTTO R. VOLD. I reside here at Bismarck. I became employed by the State of North Dakota in 1933 as Deputy State Examiner and I was so employed until the first of January 1935 when I became employed by the State Insurance Department. In the spring of 1936 the Manager, Harry Peterson, died and I was appointed Acting Manager until in the fall of 1938 when I was appointed Manager of the Fire and Tornado Fund and also the State Bonding Fund and I was so employed until January 15, 1944 though my salary was paid until February 1, 1944. For reasons that I feel that I have been forced to do so in self defense, I would like to make a statement on all matters which would be of interest to this committee. I might suggest that I have, for the convenience of the committee, jotted down a few of the subject matters which I think you will inquire into. In your inquiry of me I don't expect you to take my word though I am under oath on any of the matters which I shall discuss but instead I shall be glad to furnish documentary and other proofs on the matters which I have to offer. At this time I would just briefly like to mention a few of the subjects I shall discuss without going into detail on any particular matter, leaving the details to be gone over after the various subjects have been mentioned. I fully appreciate that I am under oath and I know what that means to me as a witness before this committee.

No. 1—In the City of Bismarck and at a location known as 107 5th Street is located the New Capitol Cafe. This cafe was purchased and improved at a cost of \$6,395.56. I expect to show by my testimony and documentary evidence that this cafe was wholly financed at the expense of the State Insurance Department.

No. 2—In Wisconsin close to Bloomer, Wisconsin is located the home farm of the Erickson's which I was informed was foreclosed upon and had gone to Sheriff's Deed to the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin. This farm was re-purchased by Mr. Oscar E. Erickson at the expense of the State Insurance Department.

No. 3—I will show that as of August 1, 1941 though the requisitions may have been given on different dates, that requisitions for re-insurance in the total of \$34,033.52 was given to the St. Paul Fire and Marine Insurance Company and the Mercury Insurance Company of St. Paul on which there would be a commission at the rate of 25% commission due of \$8,508.38 and I shall show that this \$8,508.38 was indirectly paid to Oscar E. Erickson.

No. 4—I shall show that the State Fire and Tornado Fund paid to the Western Fire Insurance Company of Fort Scott, Kansas and who has their executive offices in Kansas City the sum of \$30,000.00 for special tornado policies and that the sum of \$34,015.88 was paid for regular reinsurance fire policies by the Fire and Tornado fund of \$34,015.88. That the Western Casualty and Surety Company, which is owned and operated by the same people as the Western Fire Insurance Company, was paid approximately \$55,000.00 in premiums by the State Bonding Fund of which I was also the Manager. That on this business just mentioned approximately \$36,000.00 in commissions was paid by the two companies. That the commission was paid to the Kansas City Insurance Agency, Kansas City, Missouri for the reason that the two companies allowed all the premiums to be paid to that agency. That the Kansas City Insurance Agency paid the commissions to one, L. M. Peet, who is now President of the Farmers Union Life Insurance Company at Des Moines, Iowa. The connections between Mr. Oscar E. Erickson and Mr. Peet will be shown.

No. 5—It will be shown that Oscar E. Erickson arranged with me as Manager of the two funds to have an additional \$100.00 per month paid to him in the form of salary. This

amounted to \$8,406.00 up to the time that I left the Department in 1944.

No. 6—It will be shown that approximately \$3,800.00 was given to Mr. Erickson for the purpose of partially paying for his home that he purchased and which is located on 7th Street in the City of Bismarck. There are several other items that will be called to your attention as we go along.

No. 1—New Capitol Cafe. In this case you will need several other witnesses besides myself as to the record of the ownership of the cafe which can be found at the Register of Deeds' office and several other parties that had something to do with the cafe where the matter of ownership will show up. This cafe was formerly owned by Nick Zappas and was purchased from him on June 5, 1940 for \$2,300.00. The whole \$2,300.00 was not paid to him because he owed accounts totalling practically the entire amount which were paid out of the purchase price. The money used to purchase and improve that cafe was all obtained from the sale of re-insurance policies placed through the Murphy Insurance Agency in the City of Bismarck and the commissions received in cash and used to purchase and pay the bills at that cafe. A set of books was kept, which were kept by myself until July 1, 1941, and since that time has been kept by Beth Murray who was and still is the Cashier in the offices of the State Fire and Tornado fund. The building in which this place of business is located is owned by Mr. Lasken and at the time of the purchase, the cafe was in a run down condition and considerable improvements was necessary and it was stated to the owner of the building that it was necessary to have a lease on that portion of the building housing the cafe. Arrangements were made for a three year lease but Mr. Lasken wanted the lease signed by the actual owners of the cafe. Up to that time arrangements were made that the cafe was to be operated in the name of Agnes Shirley who was working for the owners on a monthly salary. A lease with Mr. Lasken was then prepared between him and the actual owners of the cafe which were Oscar E. Erickson and Otto R. Vold—50% each. I have been told that this lease is on record in the office of the Register of Deeds of Burleigh County. In No. 3 I made mention of \$8,508.38 paid to Mr. Erickson from the two insurance companies in St. Paul. Of this \$8,508.38 the sum of \$1,000.00 was on August 2, 1941 paid by Mr. Erickson to me, Otto R. Vold, which reduced my interest in the cafe from one-half to one-third. At this time or on August 2, 1941 I was required to

sign an agreement with Mr. Erickson showing that I owned one-third in the cafe and he owned two-thirds.

JOHNSON: Do you wish to submit this agreement as Committee's Exhibit 1?

WITNESS: Yes.

BYMERS: Do you still, Mr. Vold, have this one-third interest in this cafe at this time?

WITNESS: No, I do not. My further explanation of this matter will bring that out. To further prove the ownership of this cafe, other than my own testimony, I have here the copy of the partnership income tax return for the year 1943 which was prepared by the offices of William Schantz and of course the original of this income tax return is on file with the State Tax Commissioner. This shows 70% of the business owned by Oscar Erickson and 30% by myself.

JOHNSON: Do you wish to submit this tax statement as Committee's Exhibit No. 2?

WITNESS: Yes.

SHAFER: This copy of the partnership return filed for the calendar year 1943 in behalf of the New Capitol Cafe and now marked Committee's Exhibit No. 2 is not signed by any one.

WITNESS: The reason for that is that the original is on file with the State Tax Commissioner and this is just a copy. Now according to the record the ownership of the cafe stood at 50-50 from June 5, 1940 to August 2, 1941 when Oscar E. Erickson gave me \$1,000.00 in cash and my interest was reduced to 33 1/3% to 30% and on April 1, 1944 when my interest stood at 30% and when I had been dismissed from the Department, a man working for Mr. Erickson by the name of Arthur Gehring had previously come to me and wanted to buy my interest in the cafe. For that 30% he wanted me to put my price on it and considerable dickering was had and he finally paid me \$642.84 for my 30%. And here is the copy of the Bill of Sale which I gave for the 30%.

JOHNSON: Do you wish to submit this Bill of Sale as Committee's Exhibit No. 3?

WITNESS: Yes. Sometime during these months this Agnes Shirley got married to a man by the name of James Glock. During the summer of 1944 Mr. Glock came to me and told me that I should have sold my 30% direct to him or Mrs. Glock and I would have gotten more money. I asked him why he made that statement to me and he said that shortly after Mr. Gehring bought this 30%, Erickson had sold them 30%

for \$1,500.00 so I thanked him very much for that information. The last financial statement of the cafe was taken off as of January 1, 1944 and the reason I would like to get that in as evidence is to show the amount of Investment Account of \$4,911.55.

**JOHNSON:** Do you wish to submit this financial statement as Committee's Exhibit No. 4?

**WITNESS:** Yes. In the 1943 income tax report a depreciation of \$494.60 was charged out of the Investment Account. In the 1942 income tax report the sum of \$491.15 depreciation was charged out and in the 1941 income tax report a further sum of \$498.26 depreciation was charged out. This makes a total of \$6,395.56 originally invested as shown in the opening statement concerning this cafe. The items of depreciation can be verified by the original tax statements on file with the Tax Commissioner. Until Mr. Kelly and I have gone over matters in connection with No. 1, we will pass on to No. 2.

No. 2—Under No. 2 which is referred to as the Wisconsin farm, is this kind of a deal. This farm is located a few miles out of Bloomer, Wisconsin and was owned by Mr. Erickson's father and mother who have both passed away during the past two or three years. The farm was mortgaged to the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin and was foreclosed upon. The loan was handled through their local agent, E. C. Wiklund located in Chippewa County, Wisconsin. Sometime in 1940 Mr. Erickson brought into my office a statement of the amount of money due on this loan which the insurance company at Milwaukee would take and give him the title to the land. Mr. Erickson asked me if I could find some re-insurance business to give to the Western Fire Insurance Company of Fort Scott, Kansas but with executive offices in Kansas City and if so he had made arrangements with L. M. Peet at Des Moines to take care of it for him. What I mean by taking care of it, you will understand when I explain the entire deal later where it concerns Mr. Peet. I told Mr. Erickson at the time that there was no business to be placed at present but probably could be. At a later date the business scheduled in your report as having been given to the Western Fire during 1940 and partially cleared by the companies books in 1941 was in the total sum of \$2,871.91. This business was given to the Western Fire Insurance Company as scheduled and the commission due would approximate the \$700.00 due the Northwestern Mutual Life Insurance Company at Milwaukee on this farm.

**JOHNSON:** Are you submitting this statement of delinquent items from the Northwestern Mutual Life Insurance Company addressed to Oscar Erickson as Committee's Exhibit No. 5?

**WITNESS:** Yes. That is the original statement brought to me by Mr. Oscar Erickson. This business was paid for by the State Fire and Tornado Fund by issuing checks direct to the Western Fire Insurance Company of Fort Scott, Kansas. The money was by the Western Fire Insurance Company turned over to the Kansas City Insurance Agency and who paid the nets to the company and the commission to L. M. Peet of Des Moines, Iowa for the purpose of paying Mr. Wicklund representing the Northwestern Mutual Life Insurance Company the amount of money due on this farm. If a check is made with the offices of Mr. Wicklund and the Northwestern Mutual Life Insurance Company, you will find that the record will be that this loan or lien to the insurance company was paid off by Mr. L. M. Peet with instructions as to how to issue the deed to the Erickson's. The amount of business did not produce enough commission to pay what was against this farm and several demands was made for more business to produce more commission. Mr. L. M. Peet demanded more business to produce sufficient commissions to take care of what there was against this farm. Finally Erickson came in and said that Peet paid the balance out of other funds which he had down there, and that the farm deal was all cleared up without any further business. That was the statement of Mr. Erickson himself.

**BRIDSTON:** Was additional business given to Mr. Peet after 1940?

**WITNESS:** Oh, yes.

**KELLY:** In connection with the business given to the Western Fire Insurance Company for the purpose of giving commissions to Mr. L. M. Peet for the payment of the loan due the Northwestern Mutual Life Insurance Company, was this insurance issued in the regular manner or was it for odd periods and selected directly for furnishing this commission to L. M. Peet?

**WITNESS:** Your first question I couldn't answer whether it was for an odd period but that particular business was selected particularly to take care of this farm loan proposition as I have stated here, but I appreciate that taking into consideration the State Mill and Elevator policy, the commission is less on that type of risks and that the commissions was not sufficient to pay off the loan or lien. The difference is only a few dollars.

JOHNSON: Do you know, Mr. Vold, if the deed was filed in the county where this farm land is by Oscar Erickson?

WITNESS: He told me it was. The reason I know that he told me that it was, was because I suggested that he do not file it because if some investigation was made that they would find that he had procured the title. This also applied to deeds to lands that he had here in North Dakota and releases of judgments which he had against him which I suggested that he allow them to stand as long as he had the releases.

JOHNSON: Do you have the description of this land in Wisconsin in any of your correspondence or records?

WITNESS: No. That certificatè I gave you there from Mr. Wicklund will tell you what the description of the land is and the loan number and everything.

The Committee recessed until 3 p. m. January 15, 1945.

The Committee re-convened at 3 p. m.

PRESENT: Senator Franklin Page, Representative L. E. Callahan, Representative Cornelius Bymers, Senator J. B. Bridston, Representative Edwin L. Bagge, Senator Wm. A. Thatcher, Representative A. C. Johnson, George F. Shafer, George Kelly and Ethelyne Jorve, Official Stenographer.

JOHNSON: You wish to carry on now, Mr. Vold?

WITNESS: Item No. 3 which was referred to as the business of \$34,033.52 which on August 1, 1941 was given to the St. Paul Fire and Marine and the Mercury Insurance Company on which there would be a 25% commission of \$8,508.38. This business, meaning the policies, were counter-signed by the State Agent of the companies, Mr. A. C. Brunsvold of Fargo, North Dakota. This business, and by meaning business, I have reference to requisitions for re-insurance policies, was given in batches commencing prior to August 1, 1941 and ending about that time. In other words, all requisitions should be made and policies issued prior to August 1, 1941.

JOHNSON: Do you wish to submit this schedule as Committee's Exhibit No. 6?

WITNESS: Yes. I have here a schedule marked Committee's Exhibit No. 6 and on page 3 thereof commences a list of business that was given to the St. Paul Fire and Marine Insurance Company and the Mercury Insurance Company which extends over pages 3, 4, 5 and part of page 6. The premiums on the policies listed

on those pages total some over \$47,000, but there are some listed in this group that are not counter-signed by A. C. Brunsvold and are specifically marked on pages 3, 5 and 6 giving a total of \$13,451.72 in premiums on policies not counter-signed by Mr. Brunsvold. By deducting this from the total on page 6, you will find a net premium due on the policies so counter-signed by Mr. Brunsvold as being \$34,033.52. Sometime in July 1941 when a portion of the policies listed on this schedule had been requisitioned from the office of the State Agency for the two companies I was present in the offices of the St. Paul Fire and Marine and Mercury Insurance Company in St. Paul with Henry T. Murphy of Bismarck at which time the companies advanced to him the sum of \$2,500.00 on the commissions which would be due on this group of policies. At that time the understanding was that there would be only \$30,000.00 in premiums on policies issued in this group calling for approximate commission of \$7,500.00. You appreciate that it is hard to get policies which will call for the exact \$7,500.00 in commissions. It must be a few dollars more or less. After this \$2,500.00 was paid to Mr. Murphy, it should leave a balance of approximately \$5,000.00 to the credit of Mr. Murphy with the two companies in St. Paul. On or about August 2, 1941 an agreement was entered into between Mr. Oscar E. Erickson and myself which was mentioned here this morning where my interest in the New Capitol Cafe should be reduced from one-half to one-third interest for which I was to receive and did receive \$1,000.00 in cash from Oscar E. Erickson in his office at the State Capitol with Mr. Murphy, Mr. Erickson and myself present.

JOHNSON: Did you receive this in cash or by check?

WITNESS: Currency. Cash which was brought there by Mr. Murphy. It was necessary to increase the policies to be issued from \$30,000.00 in premiums to \$34,000.00 in premiums and when that was arranged the total premiums on these policies were \$34,033.52 for the reason that it is pretty hard to get a total number of policies with a total premium of exactly \$34,000.00. The 25% commissions due on the \$34,033.52 would be \$8,508.38 of which Mr. Murphy had already been paid \$2,500.00 in July 1941 and established a credit of \$5,000.00 with the two companies. The difference of approximately \$1,000.00 was to be used by Mr. Murphy for the purpose of paying the \$1,000.00 to Mr. Erickson so that he could purchase this interest in the cafe which I have referred to. The reason I say 25% commission when I refer to the

commissions in this case; that is because there is more commission due on these policies than the 25% but only 25% commissions should be paid to Mr. Erickson. Mr. Murphy informed me that he had an agreement with certain officials of the two companies which called for an additional 10% commission and that is how he would be paid an additional approximate figure of \$3,400.00 or 10% of the total premiums of \$34,033.52.

**BRIDSTON:** The commissions that Murphy was going to give Oscar E. Erickson was 25%. He in addition to this received an additional 10%, so the total commission was 35% according to the information he gave you.

**WITNESS:** That is right.

**BRIDSTON:** Did you see Murphy pass this \$1,000.00 over to Oscar who in turn gave it to you?

**WITNESS:** That was done right in Erickson's office in the presence of the three of us.

**JOHNSON:** Do you recall the name or names of the men present representing the insurance firm when the \$8,500.00 was turned over to Mr. Murphy in your presence?

**WITNESS:** That is not quite right. There wasn't that much turned over at any one time. It wasn't all in one deal. We were there for two or three days and it is pretty hard to restate just exactly how that was done but I do know the officers of the insurance companies which represented the insurance companies in that deal.

**JOHNSON:** The officers were there or were they present?

**WITNESS:** They were present part of the time in the offices of the companies. The reason I say companies is because the St. Paul Fire and Marine and Mercury are located in the same building. And part of the conference or conferences were held at the hotel a block away which is the St. Paul Hotel. Part of the deal was made at the offices and part of it at the hotel. And Mr. Murphy made his original arrangement for the extra 10%. That, of course, was his business.

**JOHNSON:** Was this money given to Mr. Murphy by check in your presence?

**WITNESS:** The \$2,500.00? That I couldn't say, although I did see the money.

**SHAFER:** In what form?

**WITNESS:** In cash.

**SHAFER:** Where did you see it in cash?

**WITNESS:** At the St. Paul Hotel.

SHAFER: Who had it?

WITNESS: Mr. Murphy.

SHAFER: You didn't see him receive the cash from any one?

WITNESS: It was talked over in the presence of us.

SHAFER: Before it was paid?

WITNESS: Before and after. I was not present, however, when the difference of approximately \$1,000.00 was paid because that was a different deal which I have already explained to you. It was on a different date and everything. Then a credit of approximately \$5,000.00 was established with the two companies and left to the credit of Henry T. Murphy, personally, and not the Murphy Insurance Agency. On the evening of August 25, 1941, which was on Sunday, Mr. Murphy was coming to St. Paul to make further arrangements regarding this account. The reason I know this date very specifically is because the day before, which was August 24, 1941, Mr. Murphy died.

JOHNSON: Were you in St. Paul at the time Mr. Murphy was to be there?

WITNESS: I was in St. Paul at the time. I went to St. Paul on the 2nd of August which was on Saturday to take part in an examination of these two companies which was commenced on Monday morning, August 4, 1941 and, of course, I was there when Mr. Murphy was supposed to come down on August 25 which was on Sunday. Now this credit of \$5,000.00 which was set up by Mr. Murphy before he passed away was to the credit of Mr. Henry T. Murphy, personally. In future negotiations by William Koch, it was found out that this credit could not be used by the Murphy Insurance Agency without having to probate the estate of Mr. Murphy. The Murphy Insurance Agency was a corporation and Mr. Murphy was an individual and if the estate was probated the money would go to Mrs. Murphy and the children of Mrs. Murphy. Mr. Koch made several trips to St. Paul about getting this \$5,000.00 released and Oscar E. Erickson also made trips to St. Paul on the same subject and as stated by him, which will later come out as to how it was handled, the reason Mr. Erickson was in a hurry to get this money released was because he wanted to use it to redeem his farm out east of Tappen. The matter of details on how this credit was going to be handled will be gone over with a lot of correspondence which I have regarding the trips back and forth (Mr. Erickson and Mr. Koch). First I want to tell you how this \$5,000.00 credit was released and the money used.

**BRIDSTON:** The \$5,000.00 you speak of actually by arrangement was Oscar E. Erickson's?

**WITNESS:** Yes, and further, Mr. Bridston, this entire transaction was arranged in the sum of \$34,000.00 for the purpose of making this \$8,500.00 commission available to him. The whole arrangement was made for that purpose and the further arrangement for the 10% over and above the \$8,500.00 was made for Mr. Murphy.

**KELLY:** In saying this credit was for Mr. Oscar Erickson, do you mean to state that the records of the St. Paul Fire and Marine and the Mercury Insurance Company show this as a credit to Oscar Erickson?

**WITNESS:** No, certainly not. The St. Paul Fire and Marine and Mercury Insurance Company had no knowledge of the arrangement between Mr. Murphy and Mr. Erickson.

**SHAFER:** You did, however, mean to say that some of the officers were present when the \$2,500.00 in cash of that commission was paid to Murphy?

**WITNESS:** That is right.

**SHAFER:** So that you knew cash was being paid to Mr. Murphy?

**WITNESS:** Yes. After several trips by Mr. Koch to St. Paul about getting this credit transferred, he fully appreciated that he couldn't get it transferred without having the estate of Mr. Murphy probated. At least this is the information which was handed to him and so this arrangement was made that policies calling for premiums of a total which would use up the credit of \$5,000.00 be cancelled and Mr. Koch told me that he arranged to have the same policies rewritten after they had been cancelled but in order to get them cancelled, he would have to have an order from me to do it so he had made up a letter for me to sign which was not quite the way I wanted it so I had him rewrite a new one and that is the one that I signed and attached to the copy of that letter. I have the copy of that letter and the lists of the policies which were ordered cancelled.

**JOHNSON:** Do you wish to submit this letter and list of policies as Exhibit No. 7?

**WITNESS:** Yes. When the policies listed on this exhibit were cancelled, that is both the Mercury and the St. Paul, then the two companies would refund the total premiums that were originally paid on the policies on those two lists and then Mr. Koch, which I was informed by Mr. Koch, had arranged with the St. Paul Fire

and Marine for the refund and then the re-issuance of the same numbered policies but the new policies that were issued had a different lettering in front of the number. That is the way that they could tell one policy from the other; that is the policy that was cancelled and the one that was to be in force. Then the two companies wrote checks and they gave them to Mr. Koch payable to the State Fire and Tornado Fund and Mr. Koch brought the checks up to me at White Bear Lake which is north from St. Paul and it was there that I signed that order for the cancellation on the basis that the policies would be immediately reissued for the benefit of the account of the Murphy Insurance Agency. In other words, the checks that the insurance companies issued for the policies that were cancelled, I just took them and endorsed them and they went right back to the insurance companies as payment for the new policies with the same numbers but a different lettering. Now the reason it was handled that way—we didn't have to make any changes at the offices here in the Capitol because the same numbered policies and in our registry here we don't use the lettering at all. And that is the reason they changed the lettering but the same numbers are shown if you will look at the new policies that are in the office of the Fire and Tornado Insurance Company. The only difference between the group of policies that were cancelled and the new ones was the lettering ahead of the number. Now when they cancel policies, and Mr. Bridston would bear me out in this as he is in the insurance business, they must be cancelled before a certain day after they are issued in order to get the full premium back. This arrangement for cancellation was not made until the latter part of October which was too late to get a 100% refund on the old policies so that is the reason that the letter which you, Mr. Shafer, are holding in your hand, which is Committee's Exhibit No. 7, is dated September 8 in place of the actual date which it was signed. The reason this letter was dated September 8 was because that is the last day that I functioned when I was taken sick on the evening of September 8 at White Bear Lake I had a stroke and there was considerable time there that I couldn't even write or use my right hand. So that is the reason why this letter is dated September 8, 1941, because any time between then and the latter part of October, it could easily be proven that I couldn't write so that is why it was dated back to September 8. These policies were cancelled and checks re-issued by the two companies for the full amount of the premium due

thereon in behalf of the fund without making any record in the office of the fund. I endorsed those checks back to the St. Paul Fire and Marine and they went to pay for the new policies which were issued in the offices down there with a different lettering and the same dates and everything and which were issued for the benefit of the Murphy Insurance Agency. In other words, that was the method used to get the \$5,000.00 credit of Henry T. Murphy transferred to the Murphy Insurance Agency.

JOHNSON: You endorsed these checks over to the St. Paul Fire and Marine and Mercury while you were at White Bear Lake?

WITNESS: Yes.

JOHNSON: Were you sick?

WITNESS: Yes.

JOHNSON: What date was this.

WITNESS: Answering your question, I will read to you a memorandum I made for my own use on October 24, 1941. Memorandum regarding deals of Bill Koch with the St. Paul Fire and Marine on the business which was transferred to him from Henry T. Murphy. Bill Koch was in St. Paul on October 10 and 11 and on October 10 the St. Paul Fire and Marine and Mercury Insurance Company gave checks back to the State Fire and Tornado Fund in amounts sufficient in premiums to take care of the \$5,000.00 credit which was carried in Henry T. Murphy's account. The checks were endorsed and returned by Mr. Koch to the St. Paul Fire and Marine and Mercury Insurance Company in payment of new policies which was issued and delivered to the Fire and Tornado Fund. The new policies were also countersigned by A. C. Brunsvold for the account of William & Frances Koch as Agent for the \$5,000.00 commission due on the policies mentioned above. The rest of this I will read later on in connection with another deal so eventually you will get the whole thing. The rest pertains to something else.

JOHNSON: At the time these checks were presented to you for endorsement back to the insurance company you were well enough then to write.

WITNESS: I was sitting up in the front room and I fully realized what I was doing and I remember the date well.

JOHNSON: Mr. Vold, I have one photostatic copy of check here of the St. Paul Fire and Marine—check dated October 10, 1941 for the sum of \$4,740.35. Do you wish to present it as Exhibit No. 8?

WITNESS: I do.

**JOHNSON:** I also have photostatic copy of check of the Mercury Insurance Company of St. Paul dated October 10, 1941 for \$15,280.66. Do you wish this presented as Exhibit No. 9?

**WITNESS:** I do. Referring to Committee's Exhibits 8 and 9, I will state that they are photostatic copies of the original checks which I have heretofore referred to as given for the policies that were cancelled and in behalf of the State Fire and Tornado Fund, I endorsed both checks. I procured these photostatic copies from Mr. Kelly of Ernst & Ernst. Referring to the Committee's Exhibits 8 and 9, they are the two checks that were given for the policies that were cancelled as listed on Committee's Exhibit No. 7. I call the committee's attention to the fact that the total of these two checks is approximately \$20,000.00 and the commission on \$20,000.00 in premiums would be the \$5,000.00 credit which was set up by Mr. Henry T. Murphy and which I have explained was by this refund transferred over from Henry T. Murphy to Murphy Insurance Agency.

**SHAFER:** Do you mean on the books of the insurance company?

**WITNESS:** Yes. If you will refer to the endorsements on the back of the checks you will find a rubber stamp of the State Fire and Tornado Fund thereon and then signed by myself with pen and ink. This rubber stamp was brought in St. Paul and to my home up at White Bear Lake by William Koch. This arrangement that this refund could be made in this manner was all perfected by Mr. Koch before coming to St. Paul and the only change I had to offer was the individuals which were to re-write the new policies. The letter originally brought to me called for some agent of the St. Paul Fire and Marine to write the new policies and I asked for the change to read William Koch or Frances Koch so no one else but them two could write the new policies because they had made the arrangements with the Fire and Tornado fund here at Bismarck. Now all these figures that we have talked about here has nothing to do with the additional 10% which were to be paid on these policies and how that was paid and to whom I don't know anything about. Now the next would be the elimination of the \$5,000.00 credit to Mr. and Mrs. Koch or the Murphy Insurance Agency. In my quotations here I quote mainly the conversations between Mr. Koch and myself because at that time I was sick in St. Paul. Statements were made by Mr. Koch and also Insurance Commissioner Oscar E. Erickson and I am fully aware of the fact that I am under oath—that this credit of \$5,000.00 had to be transferred in a hurry

because Mr. Erickson was buying his farm back from the Federal Land Bank who had foreclosed upon it.

JOHNSON: Which farm do you refer to?

WITNESS: The farm located east and a little bit north of Tappen, North Dakota. And that this money was necessary to pay or assist in paying for this farm after Mr. Koch had perfected this transfer. At the following Thanksgiving in 1941 I came to Bismarck and Mr. Erickson told me that this money obtained from the transfer did not come in quite in time to take over his requirements to pay for the farm to the Federal Land Bank but that Koch had advanced him \$1,500.00 and Harold Carlson who was employed by the Insurance Department had shipped a car load of either cattle or hogs, I don't know which, and that he was allowed to use that money together with a neighbor of Carlson's whose name I do not know and that this money was used to pay for the farm and that they were repaid when Mr. Koch came with this money from this \$5,000.00 credit. When Mr. Koch was in St. Paul and visited me at my place at White Bear Lake, which is right north of St. Paul, he told me that he was going to get a check for the money and cash it in St. Paul at the First National Bank and get the currency and ship it into Bismarck. He did not want to carry that much in currency on his person. That is what Mr. Koch told me. After coming back to Bismarck myself, of course Mr. Koch told me about how the money was finally paid to Mr. Erickson. I am referring now to the \$3,500.00 because the \$1,500.00 was supposed to have been paid already. Mr. Koch told me of course that he gave the \$3,500.00 to Oscar E. Erickson and at different times since he originally told me, he has talked about it and in the winter of 1942 he warned us that we had to see that Erickson paid the income tax because he wasn't going to get stuck for the income tax.

JOHNSON: He told that to who?

WITNESS: To me.

BRIDSTON: Did you get paid anything for the work and the trouble you went to in helping arrange this thing for Oscar Erickson?

WITNESS: I think my testimony here will show that I was amply paid and I have here with me my income tax returns for three or four years and I would be glad to put them in evidence here for you. On these reports you will find an item of miscellaneous income which accounts for these items that we were talking about.

JOHNSON: We will accept those returns as evidence.

**KELLY:** Could you be more specific as to what these miscellaneous items consist of and from whom they were received?

**WITNESS:** At the time the returns were made, it was not convenient.

**KELLY:** Would you care to state at this time?

**WITNESS:** Well, I have no objection to that but I rather think that in place of trying to account for the items of miscellaneous income in the returns that you can get that information easier as we analyze each transaction here. I am not saying this because I object to it, however, but I think you can easier get it by—take for instance like the cafe. I testified to you that I received in 1941 the sum of \$1,000.00 at one time. Well it may be other transactions just like that and I think that explains that easier than to account for miscellaneous items.

**JOHNSON:** You have submitted a copy of your individual income tax returns for the years 1941, 1942 and 1943 for Exhibits 10, 11 and 12?

**WITNESS:** Yes. I have here the Committee's Exhibits 10, 11 and 12 which is my income tax returns for the years 1941, 1942 and 1943. These are all returns to the State of North Dakota and the originals are on file with the State Tax Commissioner. Shortly after the first of the year 1942 I talked to Mr. Erickson regarding this matter of incomes whether they should be included in our tax returns and he told me that he wasn't including it in his and he advised me not to, but I included \$1,600.00 miscellaneous and that includes that \$1,000.00 that I got for the cafe account. In 1942 I had an item included of \$500.00 and in 1943 an item of \$200.00. At this same time I would like to introduce this exhibit.

**JOHNSON:** You are presenting Agent's License, State of North Dakota, Department of Insurance, as Exhibit No. 13?

**WITNESS:** That is right. I have another Agent's License issued by the St. Paul Fire and Marine which I will find and bring in here and at that time I will give the Committee the information as to the purpose of both exhibits at that time.

**JOHNSON:** We will stand recessed until 9:30 a.m. tomorrow morning.

9:45 a.m. January 16, 1945 meeting reconvened.

Representatives Graham and Bubel appeared before the Committee.

Representative Bagge moved that the Committee continue as an executive session. Representative Bymers seconded motion.

JOHNSON: All in favor say Aye.  
 Senator Bridston—Aye  
 Representative Bagge—Aye  
 Representative Bymers—Aye  
 Senator Thatcher—Pass  
 Representative Johnson—Aye

JOHNSON: Hearing no objections, the motion is carried. Representative Johnson notified Representatives Graham and Bubel that this Committee was to continue as an executive session.

Mr. and Mrs. William Koch, Mr. W. A. Hart and E. J. Reich appeared before the committee.

JOHNSON: We will let you leave until you are called but your subpoenas will be in effect at all times until dismissed by this Committee so be in readiness to come to the Capitol Building when so notified. We will give you ample time by either messenger or phone call.

Present at Committee Meeting:

Senator Franklin Page  
 Representative L. E. Callahan  
 Representative Cornelius Bymers  
 Senator J. B. Bridston  
 Representative Edwin L. Bagge  
 Senator Wm. A. Thatcher  
 Representative A. C. Johnson  
 George F. Shafer, Attorney  
 George Kelly, Auditor for Ernst & Ernst  
 Ethelyne Jorve, Official Stenographer for the Committee

JOHNSON: You may proceed.

WITNESS: I will pass on to Item No. 4 which showed the amount of premiums given the Western Fire Insurance Company of Fort Scott, Kansas and with executive offices in Kansas City and also the Western Casualty and Surety Company of Fort Scott, Kansas with executive offices in Kansas City, Missouri. From now on I will refer to both of these companies as being of Fort Scott, Kansas where their home office is located but they have their executive offices in Kansas City, Missouri. As of August 1, 1937 the sum of \$10,000.00 was paid to the Western Fire Insurance Company as a premium on the catastrophe tornado agreement for the two year period from August 1, 1937 to August 1, 1939. On August 1, 1939 this agreement was renewed for another two year period at a like premium of \$10,000.00. On August 1, 1941 this agreement was renewed for another two year period for a like premium of \$10,000.00 making a total of \$30,000.00 paid to the Western Fire Insurance Company of Fort Scott, Kansas for this catastrophe tornado cover for the period from August 1, 1937

to August 1, 1943. Checks for these three \$10,000.00 payments or for a total of \$30,000.00 was issued by the State Fire and Tornado Fund payable to the Western Fire Insurance Company of Fort Scott, Kansas. My information was that the commission to be paid on this premium of \$30,000.00 should be 25% but I am informed that the Western Fire Insurance Company paid the Kansas City Insurance Agency 35% commission or a commission of \$10,500.00. The checks given for the premiums in a total of \$30,000.00 was endorsed by the Western Fire Insurance Company over to the Kansas City Insurance Agency and by them cashed. That is my testimony regarding the catastrophe tornado cover. If there are any questions regarding that cover, I can answer them now.

**JOHNSON:** You may proceed.

**WITNESS:** As of August 1, 1939 the State Fire and Tornado Fund paid a total premium of \$16,885.54 to the Western Fire Insurance Company for reinsurance policies issued for the period commencing August 1, 1939 and ending August 1, 1941 and for the period commencing August 1, 1941 for another two year period a further sum of \$16,886.16 was paid for re-insurance policies on re-insurance policies. On August 1, 1942 or for policies to take effect on that date a further sum of \$245.18 was paid to the Western Fire Insurance Company making a total of \$34,015.88 in re-insurance premiums paid to the Western Fire Insurance Company by the State Fire and Tornado Fund for that period. On this a commission of 35% or a commission of \$11,905.56 was paid. I am informed that that agrees with the record in the offices of the Kansas City Insurance Agency as being the amount which they received. All checks were originally issued by the fund direct to the Western Fire Insurance Company and by them endorsed over to the Kansas City Insurance Agency. The payments of premiums which I have mentioned here as having been paid to the Western Fire Insurance Company of Fort Scott, Kansas does not include the premiums in the sum of \$2,871.91 paid to this same Western Fire Insurance Company for the benefit of the payment to be made to Mr. Wicklund of Chippewa Falls, Wisconsin who was to redeem the farm in question from the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin. That item has been treated separately in my explanation of the requisition to take care of the claim of the Milwaukee Life Insurance Company. The following premiums was paid by the State Bonding Fund and the State Fire and Tornado Fund

to the Western Casualty and Surety Company of Fort Scott, Kansas and also with executive offices in Kansas City, Missouri. I might say at this time that the Western Casualty and Surety Company and the Western Fire Insurance Company is owned and operated together by the same officers and stockholders, although separate companies.

**THATCHER:** By that you mean separate corporations?

**WITNESS:** Yes.

**SHAFER:** Do you know in what state these companies are incorporated?

**WITNESS:** In the State of Kansas. Stating further that the two companies were originally founded and operated in the town of Fort Scott, Kansas and I was informed by R. L. Blum, the Vice-President of the Western Casualty and Surety Company that they operated for years only in Fort Scott, Kansas and at a later date the executive offices of both companies moved into Kansas City, Missouri and not Kansas City, Kansas.

**SHAFER:** Are both companies authorized to do business in North Dakota?

**WITNESS:** Both companies are. The following premiums were paid by the State Bonding Fund to the Western Casualty and Surety Company of Fort Scott, Kansas in 1937 the sum of \$11,115.00. In 1938 the total sum of \$1,725.00. In 1939 the total sum of \$12,600.00. In 1940 the total sum of \$1,390.50. In 1941 the total sum of \$13,307.50. In 1942 the total sum of \$1,616.60 and in 1943 the total sum of \$9,150.00 making a grand total of premiums paid to the Western Casualty and Surety Company of \$50,904.60 on which a commission of \$11,705.53 was paid to the Kansas City Insurance Agency. When all of these premiums were paid by the State Bonding Fund to the Western Casualty and Surety Company, the checks were made payable to the company who endorsed the checks to the Kansas City Insurance Agency and by them cashed. My information through the years in question was that a commission of 30% should be paid on this business given by the State Bonding Fund to the Western Casualty and Surety Company but the figures that I have given the Committee is figured on a basis from 20% to 25%. This makes a grand total of commission only which was received by the Kansas City Insurance Agency of \$34,111.09. This is the commission alone and the grand total premiums paid by the two funds to the Western Fire Insurance Company and the Western Casualty and Surety Company of Fort Scott, or the Kansas City Insurance Agency was \$114,920.48.

After the fall election in 1938 Oscar E. Erickson and myself both went to Excelsior Springs, Missouri and were admitted to the McClearey's Clinic, Excelsior Springs, Missouri for treatment. We occupied the same room and were there between two and three weeks. Mr. L. M. Peet of Des Moines, Iowa, who is now the President of the Farmers Union Life Insurance Company, but in 1938 was employed by them as insurance promoter, came down on two occasions from Des Moines, Iowa to Excelsior Springs, Missouri and visited with us. On one occasion he arranged to take us over to Kansas City, Missouri and have a conference with the executive officials of the Western Fire Insurance Company and the Western Casualty and Surety Company of Fort Scott. On both occasions we talked over the probability of gaining control of the Farmers Union Insurance Company of Des Moines in which Mr. Peet was very much interested. Mr. Peet was also very much interested in making arrangements with Mr. Ray Duboc who was President of both the Western Fire Insurance Company and the Western Casualty and Surety Company and apparently the General Manager of the two companies. Considerable talk was had with Mr. Duboc on the subject of his two companies writing all the re-insurance for the Western Casualty and Surety Company and also all of the re-insurance for the State Fire and Tornado Fund. Personally, I could not agree to the allocation of all the re-insurance business in the State Fire and Tornado Fund to the Western Fire Insurance Company but that did not stop Mr. Duboc through Mr. L. M. Peet to push on for the ultimate arrangement of giving all of the re-insurance in the Fire and Tornado Fund to the Western Fire Company. Later on I will introduce here some letters from Mr. Peet, also Mr. Duboc, showing that their plan was to write all of the coverage in the Western Fire Insurance Company in one master conflagration insurance policy. That correspondence will speak for itself.

**SHAFER:** Did Peet have any official connection with the Western Fire Insurance Company?

**WITNESS:** No. He was employed at that time by the Farmers Union Life at Des Moines and is now President of the Farmers Union Life Insurance Company at Des Moines.

**SHAFER:** What seemed to be his interest in the matter of getting all of the re-insurance of the Fire and Tornado Fund for the Western Fire Insurance Company?

**WITNESS:** To get as much premium as possible is the only visible interest that I could see.

SHAFER: How was he interested in the premiums. I want your statement of the facts as you know them.

WITNESS: I have been informed on different occasions by Commissioner of Insurance Oscar E. Erickson and L. M. Peet that their interest were to have as much premium as possible go to the Western Fire Insurance Company and by them over to the Kansas City Insurance Agency and if this was done the commissions paid by the Kansas City Insurance Agency to L. M. Peet and when he got enough of these commissions then he could gain control of the Farmers Union Life Insurance Company of Des Moines, Iowa. Judging from later evidence, the ultimate goal was accomplished because he went from life insurance salesman to Vice-President of the Farmers Union Life of Des Moines, Iowa and at the next election to the office of President of the Farmers Union Life which office he is now holding.

SHAFER: Was Peet connected in any way with the Kansas Insurance Agency?

WITNESS: I was informed by Mr. Peet himself that his interest down there was the getting of these premiums and commissions from the Kansas City Insurance Agency. I was further informed by Mr. Peet that the stock purchased in the Farmers Union Life was mainly put in escrow for the benefit of himself and Mr. Oscar E. Erickson to be used at some future date.

Joe Byrne was admitted:

JOHNSON: We will excuse you until you are notified to again appear but your subpoena will be in effect until we call you. You may proceed Mr. Vold.

WITNESS: During these years since 1938 Mr. Peet made many trips to North Dakota. On those occasions he would call at the office and we would meet him down town and conversations had concerning his future plans in the Farmers Union Life Insurance Company of Des Moines and the procurement of as much business as possible to the two Western companies to give him as a big commission account as possible and more apt to him getting control of the Farmers Union Life of Des Moines, Iowa. This will be substantiated by letters to be introduced later on. In the offices of the State Fire and Tornado Fund it was a common practice that when the Commissioner would get some correspondence involving some of the Departments on that floor that he would bring the correspondence and enclosure to that office for attention. Sometime after April 22, 1941, the following letter was left

with me together with the big envelope of enclosures which you see I am holding in my hand.

JOHNSON: You wish to submit the letter of April 22, 1941 from the Farmers' Union Life as Exhibit No. 14?

WITNESS: Yes. I will read Committee's Exhibit No. 14 which is a letter from L. M. Peet then Vice-President of the Farmers Union Life dated April 22, 1941 addressed to Mr. Oscar E. Erickson.

JOHNSON: You are submitting for Exhibit No. 14 copies of insurance policies numbering 68,526 to 68,625, inclusive of the Western Fire Insurance Company of Fort Scott, Kansas.

WITNESS: Yes

JOHNSON: Are these copies of the policies extracted from the files of the Fire and Tornado Insurance Company's office.

WITNESS: No. As I testified here when that letter was introduced, this came from L. M. Peet to Mr. Erickson and then because it concerned my department, Mr. Erickson brought it over and left it with me in my office and were not permanent records of the Insurance Department. My next letter which I want introduced, will make you understand further how letters in one man's office might come into another man's office and in his possession on account of the subject matter in the letter. Now I have a letter here written July 7, 1941 at Kansas City, Missouri and addressed to Mr. L. M. Peet of the Farmers Union Life Insurance Company and no doubt by him forwarded to either Erickson or I. If it had been forwarded to Erickson, of course it would have been, by him, left in my office and that is how I happen to have possession of it. The letter was written by Ray Duboc, President of the Western Fire Insurance Company and I want to introduce that as an exhibit.

JOHNSON: You wish to introduce this letter from the Western Insurance Company of Kansas City, Missouri dated July 7, 1941 as Exhibit No. 15?

WITNESS: Yes. I will now read Committee's Exhibit No. 15. I might explain that the reason he wants smaller volume of business on individual risks is so that he does not have to pay as much re-insurance on them and this was mentioned on different occasions in our conversations with Mr. Peet—that the company wanted the insurance in smaller lines not requiring re-insurance and if we would give it to him in smaller lines then they could pay a larger commission which was being done in this case where the commission was 35% and where the regular commission is 25%.

JOHNSON: Do you wish to submit letter from the Farmers Union Life Insurance Company dated July 23, 1941 as Exhibit No. 16?

WITNESS: Yes. Before I make the introduction of the next exhibit I would like to give a little extra testimony which is necessary to understand the next exhibit. When Mr. L. M. Peet, Oscar Erickson and myself were together in Excelsior Springs, Missouri just before Christmas in 1938, a tentative arrangement was made in which the three was to assist each others in Mr. Peet's program of gaining control of the Farmers Union Life Insurance Company. At that time Mr. Peet was not an officer of the company. The President was a man by the name of Tom White who had been fighting Mr. Peet and who Mr. Peet was anxious to have removed. In this arrangement which was made in the late 1938, I was supposed to go in as Secretary of the Farmers Union Life Insurance Company. To bear that out, I would like to call your attention to the next exhibit.

JOHNSON: You wish to present this letter with two additional enclosures from the Farmers Union Life Insurance Company of Des Moines, Iowa dated January 12, 1939 signed by Mr. L. M. Peet as Exhibit No. 17.

WITNESS: Yes. I might state further that this plan of me going in as Secretary of the Farmers Union Life Insurance Company was no more in force after the early fall of 1939 when Mr. C. J. Myers opened up a fight on me which included the presence of Mr. L. M. Peet here in Bismarck and which argument between Mr. Myers and myself was started at that time and has continued to this day.

JOHNSON: You refer to Myers as the Manager of the Hail Insurance Department?

WITNESS: Yes, I do.

JOHNSON: You wish to present a letter from L. M. Peet on the Farmers Union Life Insurance Company's stationery dated 3-4-41 as exhibit No. 18?

WITNESS: I do and the envelope that goes with it. I might say that what he had reference to in this letter when he mentions bonds are the re-insurance on the County Treasurer's bonds in the State Bonding Fund which are all entered into prior to May 1 of the odd numbered year which is the time the County Treasurers take office for the next two years.

JOHNSON: Letter from L. M. Peet dated May 13, 1941 on the Farmers Union Life Insurance Company of Des Moines, Iowa's stationery. Do you wish to present that as Exhibit No. 19?

- WITNESS: Yes. I will read the letter. I might state that wherever I have possession of letters addressed to Mr. Erickson, you will find in the letter that it concerns something that he wants me to do which means that Mr. Erickson has referred the letter to me. Referring to the last exhibit, the main thing is to show his interest in the re-insurance from the Department. Sometime this morning I testified to a meeting in Kansas City with Mr. Duboc, President of the Western Fire Insurance Company when it was talked over—the matter of that company taking all of the re-insurance in the Fire and Tornado Fund and that present at that meeting was Mr. Erickson, Mr. Peet and myself with Mr. Duboc. The next exhibit concerns that meeting.
- JOHNSON: The letter from the Western Insurance Company of Fort Scott, Kansas dated January 7, 1939 consisting of two sheets along with some other documents listing insurance risks and locations. Do you wish to present this as Exhibit No. 20?
- WITNESS: Yes. I will read the letter.
- JOHNSON: You are presenting a telegram to yourself from the Western Fire Insurance Company dated January 12, 1939 for exhibit No. 21?
- WITNESS: Yes. Committee's Exhibit No. 21 is a telegram sent from Fort Scott, Kansas on January 12, 1939 to O. R. Vold, Assistant Manager of the State Fire and Tornado Fund from the Western Fire Insurance Company which reads as follows: (Reads letter)
- JOHNSON: You wish to present this letter, dated January 20, 1939 addressed to Mr. C. C. Otto and signed by yourself as Exhibit No. 22?
- WITNESS: Yes. The Committee's Exhibit No. 21 was a telegram dated January 12, 1939 asking for reply to his letter of January 7 and Exhibit 22 is my reply dated January 20, 1939 addressed to Mr. C. C. Otto, Underwriter of the Western Fire Insurance Company, Fort Scott, Kansas. In 1941 when the catastrophe tornado agreement was to be renewed for another two year period, it appears that Mr. Duboc, the President of the Western Fire Insurance Company received the following letter written by myself.
- BRIDSTON: Do you wish this submitted as Exhibit No. 23? Also the letter dated March 29, 1941 to Mr. Duboc as Exhibit No. 24?
- WITNESS: In the Committee's Exhibit No. 23, the expiration date of the contract is written as August 1, 1941. That is a typographical

error because the expiration date was August 1, 1943. I might state that the purpose of these two letters is to show that Mr. Peet was anxious, as early as in March and April 1941, to get this voucher for \$10,000.00 approved and sent into the company, the Western Fire Insurance Company, though the voucher could not be paid until after July 1, 1941 when the appropriation would be available. It was claimed by Mr. Peet at that time that if he got this approved voucher he could make use of that voucher in procuring some funds and credit from the Western Fire Insurance Company with which to purchase some stock in the Farmers Union Life Insurance Company according to his program at that time.

**BRIDSTON:** Do you wish to submit a letter dated August 3, 1941 from Oscar addressed to yourself as Exhibit No. 25?

**WITNESS:** Yes.

(Bridston reads the letter.)

**WITNESS:** Committee's Exhibit No. 25 having already been read, which is a letter signed Oscar which is Oscar E. Erickson, Commissioner of Insurance, written to myself at St. Paul and dated August 3, 1941, the reference as L. M. in the letter has reference to L. M. Peet.

**BRIDSTON:** Do you want to enter this as an exhibit? Letter to L. M. Peet c/o Mercy Hospital, Des Moines, Iowa dated January 20, 1943 on Western Insurance Companies' stationery and signed by Ray B. Duboc who is listed as President of the Western Insurance Company, (Committee's Exhibit No. 26)

**WITNESS:** Yes. As stated Exhibit No. 26 is a letter from Ray Duboc, the President of the Western Fire Insurance Company written to Mr. L. M. Peet in care of the Mercy Hospital Des Moines, Iowa. This bears out further that Mr. Peet forwards his letters out here rather than to keep them down there in Des Moines. It bears out further that when the Western wants some action out of the Fire and Tornado Fund offices of the Insurance Department, he takes it up with L. M. Peet of Des Moines, Iowa. (Witness reads the letter.) The purpose of introducing this letter is not the contents of the letter but that there is a matter involving the State Fund and when that arises, he immediately goes to L. M. Peet who has no visible connection with the State Fund nor with the Western Insurance Company but it all has a tendency that the alleging connection of the financial transaction goes from the Kansas City Insurance Company to L. M. Peet of Des Moines, Iowa.

SHAFER: How did this letter get out here addressed to Peet?

WITNESS: It was no doubt forwarded by Mr. Peet to the Insurance Department and referred to me because I was head of the Department concerned in the letter.

The Committee recessed until 4 p. m. January 16, 1945.

State of North Dakota )  
 County of Burleigh ) ss.

Ethelyne Jorve being first duly sworn, deposes and says: That she is the reporter who was designated as an official reporter of the Interim Legislative Committee; that she took in shorthand all of the proceedings had and all of the testimony offered and received by said Committee on January 15 and 16, 1945; that the foregoing transcript, consisting of pages 1 to 34 inclusive, is a full, true and correct transcript of all such proceedings and of all such testimony so offered and taken by me on such days.

(Signed) ETHELYNE JORVE.

Subscribed and sworn to before me this 17 day of February, 1945.

G. A. Gilbertson  
 Notary Public, Burleigh County,  
 North Dakota.

SEAL

My Commission Expires Sept. 1, 1948.

INDEX OF EXHIBITS FURNISHED TO THE  
COMMITTEE ON JANUARY 15 and JANUARY 16, 1945

Committee's Exhibit No.	Page of Journal
1	595
*2	----
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*11	----
*12	----
*13	----
14	601
15	602
16	603
17	604-605-606
18	607
19	607
20	608
21	609
22	609
23	610
24	611
25	612
26	613-614

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\* No copies of these Exhibits. Refer to originals on file with the Committee.

Committee's Exhibit No. 1

ej

AGGREEMENT

THIS AGREEMENT, Made in duplicate and entered into, by and between Oscar E. Erickson, of Bismarck, North Dakota and O. R. VOLD, of Bismarck, North Dakota.

It is hereby understood by and between the two parties, that the New Capitol Cafe, 107-5th Street (Lasken Block) Bismarck, North Dakota is jointly owned by the two parties named in this agreement. That one-third is owned by the said O. R. VOLD, and the other two-thirds is owned by the said Oscar E. Erickson, and that all profits, or other portions, shall be divided on the same basis.

Signed and delivered by the two parties herein named, this 2nd day of August, 1941.

/s/ Oscar E. Erickson

/s/ O. R. Vold

Subscribed and sworn to before me, a notary public, in and for Barnes County, North Dakota, this 2nd day of August, 1941.

/s/ W. L. Pierce

Notary Public, Barnes County, N. Dak.  
My Commission expires August 2nd, 1942.

Committee's Exhibit No. 4

ej

## FINANCIAL STATEMENT

NEW CAPITOL CAFEBISMARCK, N. D.Jan. 1st, 1944

219.10

300.00 (pencil  
figures)

519.10

RESOURCES

Cash in Cash Register .....	\$	10.00
Bank Balance .....		355.99
Furniture & Fixtures.....	\$4,945.98	
Less Depreciation .....	494.60	
		4,451.38
Stock Inventory .....	\$ 750.00	
Acc'ts. & Meter Deposits .....	188.60	
		938.60
Total .....	\$	5,755.97

LIABILITIES

Investment Account .....	\$	4,911.55
Reserve for Sales Tax .....		114.08
Undivided Profits .....	\$1,730.34	
Less Advances Made .....	1,000.00	
		730.34.
Total .....	\$	5,755.97

PROFIT AND LOSS ACCOUNT

<u>ACCOUNT</u>	1943	1943	<u>DEBITS</u>	<u>CREDITS</u>
Salaries Paid .....		\$	4,809.37	
Building Rentals Paid .....			1,440.00	
Miscellaneous Expenses .....			1,454.96	
Loss in Sales Tax Account .....			106.04	
Depreciation on Furniture 10%.....			494.60	
Gross Profits on Sales .....				\$ 10,045.31
<b>NET PROFIT FOR THE</b>				
<b>YEAR</b> .....			1,730.34	
Totals .....		\$	10,045.31	\$ 10,045.31
Oscar E. Erickson 70% .....	\$	511.24—255.62		(pencil
O. R. Vold .....	30%	219.10—109.55		figures)
Total .....		\$	730.34	

Exhibit No. 5  
ej

## Statement of Delinquent Items

The Northwestern Mutual Life  
Insurance Company, Milwaukee, Wis.

PAYMENT HAS NOT BEEN RECEIVED FOR  
DELINQUENT ITEM(S) SHOWN BELOW.

Contract No.	June 1
1527-83	1940

ERICKSON

	State
Oscar E. Erickson	WISCONSIN
Notice 419 7th St.	
to Bismarck,	County
No. Dakota	CHIPPEWA

Loan Agent  
E. C. WICKLUND

	Amount Delinquent
Interest due 6/1/40	22.34
Bal. Principal due 12/1/39	672.19
(pencil figures) 12/1/40	16.80 (pencil figures)
	<u>711.33</u>

THE OFFICERS OF THIS COMPANY ARE NOT AT LIBERTY TO EXTEND OR POSTPONE PAYMENTS WHEN DUE, OR TO ALLOW THEM TO REMAIN UNPAID. WILL YOU THEREFORE PROMPTLY REMIT THE AMOUNT DUE.

THE NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY

Envelope.

No Postmark.

Address: The NORTHWESTERN MUTUAL LIFE  
INSURANCE CO.

Mortgage Loan Department

MILWAUKEE,  
WIS.

720 East Wisconsin Avenue

Committee's Exhibit No. 7

ej

(Carbon copy of letter)

September 8, 1941

Mr. A. C. Brunsvold, State Agent  
Fargo, North Dakota

Dear Mr. Brunsvold:

We return for cancellation policies written by you for the account of H. T. Murphy, Agent, Bismarck, North Dakota, as per lists attached. Total premiums on The St. Paul Fire & Marine Insurance Company list is \$8,758.08 and the total premiums on the Mercury Insurance Company list is \$15,280.66.

We understand that this particular business is cancelled to effectuate a cancellation which is necessary due to the death of H. T. Murphy.

This same identical business is to be rewritten by William Koch or Frances Koch, and in the St. Paul Fire & Marine Insurance Company and the Mercury Insurance Company, St. Paul, Minnesota.

I am,

Yours very truly,

O. R. Vold, Manager

Enclosures: 2 pages of list of policy numbers and to whom issued (No copies made of these lists.)

Committee's Exhibit No. 8

ej

Photostatic copy of check

ST. PAUL FIRE AND MARINE INSURANCE CO.

St. Paul, Minn. Oct. 10, 1941 No. 17582

Pay To The Order Of State Fire and Tornado Fund of  
North Dakota \$4,740.35

SAINT PAUL \$4740 & 35 CTS DOLLARS

Return premiums on cancelled policies.

St. Paul Fire and Marine Insurance Company

/s/ O. J. Kruger  
An Officer of the Company

/s/ L. Kemkamp  
An Officer of the Company

To:  
The First National Bank of Saint Paul )  
22-1 Saint Paul, Minnesota )

ENDORSEMENT:

Rubber stamp STATE FIRE AND TORNADO FUND

/s/ By O. R. Vold  
Mgr

Rubber stamp Pay FIRST NATIONAL BANK  
St. Paul, Minn. or Order  
7 OCT. 17, 1941 7

Mercury Insurance Company  
Minnesota Underwriters Agency  
Saint Paul—Mercury Indemnity Co.  
St. Paul Fire & Marine Insurance Co.

Rubber stamp FIRST NATIONAL BANK  
St. Paul, Minn. 22-1

Committee's Exhibit No. 9

ej

Photostatic copy of check

MERCURY INSURANCE COMPANY  
SAINT Paul, Minnesota

No. 25672

SAINT PAUL, MINN. Oct. 10, 1941.

Pay To The Order Of State Fire and Tornado Fund of  
North Dakota \$15,280.66  
SAINT PAUL \$15,280 & 66 CTS DOLLARS

Return premiums on cancelled policies.

MERCURY INSURANCE COMPANY

/s/ O. J. Kruger

To The First National Bank ) An Officer of the Company

22-1 Saint Paul, Minn. ) /s/ L. Kemkamp

An Officer of the Company

ENDORSEMENT

Rubber stamp STATE FIRE AND TORNADO FUND

/s/ By O. R. Vold  
Mgr.

Rubber stamp PAY FIRST NATIONAL BANK  
34 St. Paul, Minn. or Order 34  
Oct. 17, 1941

MERCURY INSURANCE COMPANY

Committee's Exhibit No. 14

ej

FARMERS UNION LIFE INSURANCE COMPANY

Des Moines, Iowa

Tom White, President  
Rex Lear, Vice-President  
L. M. Peet, Vice-President  
E. E. Kinsinger, Sec-Tres.

April 22, 1941

Mr. Oscar E. Erickson  
Department of Insurance  
State of North Dakota  
Bismarck, North Dakota

Dear Oscar:-

I am enclosing copy of the coverage that the Western has on the State Fire and Tornado Fund, representing a total premium of \$19,757.44, and I believe either all or most of them expire the first of August and am wondering if Otto would prepare the requisitions for the renewal of this business and send them to me as soon as possible or if in his judgment a renewal order is all that it necessary, then return these copies to me and I will have the Western make up the policies from the information they now have.

I think it is important that you insist that Otto take care of this at once, so that we can accomplish some of the things that we have been talking about. I am also satisfied that it is important that you and I visit as quickly as possible, because we have got to formulate some definite plan, so that you will know how far you might go there and how far I should go here. I expect I will be gone all of next week, starting April 28th, but I will be back here by May 5th.

Yours very truly

/s/ L. M. Peet

Vice-President

LMP:CH  
Enc

No copies of enclosures made—  
Enclosures consist of Policies No. G 68526 through G 68625,  
inclusive of The Western Fire Insurance Co.

Comm. Ex. No. 15  
ej

Ray B. Duboc, Pres.

E. C. Gordon, Secy.-Treas.

THE WESTERN INSURANCE COMPANIES  
The Western Casualty & Surety Co.  
The Western Fire Insurance Co.  
Executive Offices  
916 Walnut Street  
Kansas City, Missouri  
July 7, 1941

Mr. L. M. Peet  
c/o Farmers Union Life Ins. Co.  
504½ Grand Avenue  
Des Moines, Iowa

STAMP:  
RECEIVED  
July 9, 1941  
Insurance Department

PERSONAL

Dear Mr. Peet:

Our home office has today received additional requisitions from Mr. Vold of the North Dakota State Fund with premiums amounting to \$4,600. It appears that Mr. Vold is giving us larger lines on the institutions on which we had moderate lines before. For instance the business which he sent in last week was all on three institutions. The business received today is all on the College at Fargo and the University at Grand Forks.

This means that we are going to have to give away much more of the premiums than we would if the same volume of business was given us in smaller units. I cannot place this reinsurance in outside companies without a loss to us in commission unless I have some idea of the total volume that is to be given us and whether or not we must issue some of the policies through other companies. I still think it would be a fine idea if Mr. Otto could be allowed to assist Mr. Vold in selecting this insurance.

Awaiting your suggestions, I am

Very truly yours,

/s/ Ray B. Duboc

P R E S I D E N T

RBD/IH

Committee's Exhibit No. 16

ej

FARMERS UNION LIFE INSURANCE COMPANY

Des Moines, Iowa

July 23-41

Dear Otto—

Can you arrange things so the extra fire business for the Western gets thru for payment so I can have it on the morning of July 31st? I have postponed our Directors meeting so I can submit a plan to them and have the cash to back it up on that date. Write me on your return to the office and let me know what you can do. I have visited with Oscar on the subject and I wish you would talk to him.

Yours Very truly

/s/ L. M. Peet

Envelope—

Postmarked Jul 23, 1941 at Des Moines, Iowa AIRMAIL,  
Addressed to Otto Vold, Insurance Department, Bismarck,  
N. D.

Marked Personal

Committee's Exhibit No. 17

ej

FARMERS UNION LIFE INSURANCE COMPANY  
Des Moines, Iowa

Tom White, President  
E. E. Kinsinger, Vice-President & Secretary  
L. M. Peet, Vice-President  
T. M. Skroh, Treasurer

January 12, 1939

Mr. Otto Vold,  
State House,  
Bismarck, North Dakota

Dear Otto:--

Let me know, as soon as you can, what you think we might get worked out between noe and the 20th of January. You might also let me know when you expect Oscar to be back in Bismarck.

Yours very truly,

/s/ L. M. Peet

L. M. Peet

LMP:OH

Envelope

Postmarked January 12, 1939 at Des Moines, Iowa AIRMAIL  
ADDRESSED to Mr. Otto Vold, State House, Bismarck,  
North Dakota  
Marked Personal

Enclosures: Mimeographed NOTICE OF REGULAR  
MEETING OF STOCKHOLDERS OF THE FARMERS  
UNION LIFE INSURANCE COMPANY dated January 11,  
1939 and Mimeographed letter dated January 11, 1939 of  
the Farmers Union Life Insurance Company of Des Moines,  
Iowa signed by Tom White, President.

Committee's Exhibit No. 17

ej

Enclosure attached to letter: (Mimeographed notice)

**NOTICE OF REGULAR MEETING OF STOCKHOLDERS  
OF THE FARMERS UNION LIFE INSURANCE  
COMPANY**

DES MOINES, IOWA  
January 11, 1939

Dear Stockholder:

This is the official notice of the Sixth Annual Meeting of the Stockholders of the Farmers Union Life Insurance Company to be held at the Home Office 504½ Grand Avenue, Des Moines, Iowa, at ten A. M. January 26, 1939, for the purpose of electing Directors and transacting of such other business as may be regularly brought before the meeting.

Our Articles of Incorporation provide for voting by proxy and a blank form is attached for your use. If you will not be able to attend personally you can fill in the name of someone who will be at the meeting and return the proxy in the enclosed business reply envelope (no postage required) to the Home Office, thereby authorizing him to cast your vote for you. Sending in your proxy does not prevent you from voting in person if you can find you can attend the meeting.

Very truly yours,

/s/ Tom White

President

/s/ E. E. Kissinger

Vice President &amp; Secretary

Proxies must be filed with the Secretary of the Company not later than January 24, 1939

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**PROXY**

Stock Certificate No. \_\_\_\_\_ No. of Shares \_\_\_\_\_

I hereby Nominate and appoint \_\_\_\_\_ or \_\_\_\_\_ (providing the person first named is not in attendance) as my attorney or proxy for me and in my name to represent me and to vote all stock owned by me in the Farmers Union Life Insurance Company as fully as I might do if personally present at the Annual Meeting of Stockholders of the Farmers Union Life Insurance Company to be held on January 26, 1939, at Des Moines, Iowa, (or any reconvening of such meeting after recess or adjournment thereof held within thirty days after said date) reserving to myself the right to revoke this proxy at any time

---

Stockholder

Committee's Exhibit No. 17

ej

Enclosure

FARMERS UNION LIFE INSURANCE COMPANY  
DES MOINES, IOWA

Tom White, President  
E. E. Kinsinger, Vice-President & Secretary  
L. M. Peet, Vice-President  
T. M. Skroh, Treasurer

January 11, 1939

Dear Stockholder:

We are enclosing notice of the Sixth Annual Meeting of the stockholders of the Farmers Union Life Insurance Company, also enclosing a report made during the current year of Dunnes' Insurance Reports. This report is based upon our statement as of December 31, 1937.

The Statement for the year ending December 31, 1938, will show substantial gains in all important items, such as income, assets, surplus and insurance in force.

The Company has been able to pay a dividend to the stockholders for the past two years and, in our opinion, the condition of the Company is such that a dividend should again be paid to the stockholders and we will so recommend to the Board of Directors and Insurance Commissioner of the State of Iowa.

We would be pleased to have every stockholder either attend the Annual Meeting in person or be represented by proxy. If you are not sure you can attend the meeting, mail your proxy now before you lay it aside.

Yours very truly,

/s/ Tom White

President

EEK:CH  
Enc

SATURDAY, FEBRUARY 24, 1945

607

Comm. Ex. #18  
ej

FARMERS UNION LIFE INSURANCE COMPANY  
Des Moines, Iowa

Tom White, Pres.  
E. E. Kinsinger, Vice-Pres. & Secy.  
L. M. Peet, Vice-Pres.  
T. M. Skroh, Treas.

March 4, 1941

Dear Otto:

As soon as you get some more bonds send them to K. C. because I am moving as fast as I can toward a definite goal here at this office. Let me know by Air Mail when the next bunch can come thru?

Regards,

/s/ L. M. Peet

Envelope

Postmarked March 4, 1941 at Des Moines, Iowa AIRMAIL  
ADDRESSED to Mr. Otto Vold, State Bonding Fund, Capitol  
Bldg., Bismarck, North Dakota  
Marked Personal.  
Enclosures: None

Committee's Exhibit No. 19  
ej

FARMERS UNION LIFE INSURANCE COMPANY  
Des Moines, Iowa

Tom White, President  
Rex Lear, Vice-President  
L. M. Peet, Vice-President  
E. E. Kinsinger, Sec-Tres.

May 13, 1941

Rubber stamp

RECEIVED  
May 14, 1941  
INSURANCE DEPARTMENT

Mr. Oscar E. Erickson  
Department of Insurance  
Bismarck, North Dakota

Dear Oscar:—

Please let me know when Otto could send the requisitions for the fire insurance that you might be willing to give to the Western.

Yours very truly

/s/ L. M. Peet

L. M. Peet

LMP:CH

Comm. Ex. No. 20  
ej

Ray B. Duboc, Pres.

E. C. Gordon, Secy-Treas

THE WESTERN INSURANCE COMPANIES  
The Western Casualty & Surety Co.  
The Western Fire Insurance Co.  
Fort Scott, Kansas

January 7, 1939

Mr. O. R. Vold, Ass't. Mgr.  
State Fire & Tornado Fund  
State Capitol Building  
Bismarck, North Dakota

Rubber Stamp  
RECEIVED  
Jan 9, 1939  
State Bonding Fund  
Fire & Tornado Fund

Dear Mr. Vold:—

You will remember our conversation in President Duboc's office when you were in Kansas City in company with Mr. Erickson and Mr. Peet about December 1, with regard to what portion of the pro rata reinsurance we might be able to handle when it comes up August 1. I had in my possession the schedules which I made in 1936 in connection with the windstorm excess policy, and while these schedules were made entirely from the excess policy, and while these schedules were made entirely from the excess policy standpoint, I was able to segregate considerable information which will assist materially toward the formulation of our opinions.

Attached is a schedule listing such properties as we have been able to segregate and also showing in red other properties on which we would like information inasmuch as we will quite possibly be interested in it. These red notations are occasioned by the fact that when I visited you in 1936 all of your files were not complete in such shape that I could segregate the individual properties, but had to take a good many figures in bulk which, of course, was satisfactory from the excess policy standpoint but not satisfactory for pro rata reinsurance.

If you would be kind enough to complete this schedule under the heading of rates and location, as well as to supply complete information as per the red notations, we will be very grateful. In cases where the excess line involves both buildings and contents the rates you give us may be the average rate as used on your policy. This, of course, might look like a big job, but knowing the manner in which you have your files set up I do not believe it will be so bad. We have attempted to make this schedule in such a manner that it will follow your filing system to good advantage. May we please have the completed schedule returned at an early date.

Yours with best personal regards,

/s/ C. C. Otto  
Underwriter

CCO:MS

Encl. 5 sheets of description of Risk & Location  
(Original letter was of two sheets.)

SATURDAY, FEBRUARY 24, 1945

609

Comm. Ex. No. 21

ej

**WESTERN  
UNION**

---

AD2 1 13—FT SCOTT KANS JAN 12 1939 157P  
O R VOLD

ASST MGR STATE FIRE AND TORNADO FUND

WILL APPRECIATE YOUR SPECIAL EFFORT TO RUSH  
INFORMATION AS PER LETTER SEVENTH URGENT—  
THE WESTERN FIRE INSURANCE CO.

Rubber Stamp:  
RECEIVED  
Jan. 12, 1939  
State Bonding Fund  
Fire & Tornado Fund

Comm. Ex. No. 22

ej

(Taken from carbon copy)

January 20, 1939

Mr. C. C. Otto, Underwriter  
Western Fire Insurance Co.  
Ft. Scott, Kansas

Dear Mr. Otto:

We acknowledge receipt of your letter dated January 7 and also your telegram of January 12 with regard to the schedule which you forwarded in your letter of the 7th.

To complete the schedule as requested is a big job and at the present time we are working day and night in trying to cooperate with the Legislature, that is in session, on various important matters pertaining to our department. Personally I am of the opinion that we cannot find time to complete this schedule until after the legislative session is over.

You will hear from us again very soon with regard to this same matter. Kind personal regards to you and your associates, I am

Yours very truly

O. R. Vold, Manager

ORV:h

Comm. Ex. No. 23

<sup>ej</sup>  
(Taken from carbon copy)

April 3, 1941

Mr. Ray B. Duboc, Pres.  
Western Fire Insurance Co.  
916 Walnut Street  
Kansas City, Missouri

Dear Mr. Duboc:

We acknowledge receipt of your letter dated April 1, in which you enclosed the copy of the "Windstorm Excess Re-insurance Contract" to commence on August 1, 1941 and to expire on August 1, 1941.

The contract has been signed by Mr. Erickson and myself and we return the same herewith for your files.

We also acknowledge receipt of the voucher for the \$10,000 premium due on this Re-insurance Agreement which has been approved by Mr. Erickson and myself for payment on July 2, 1941 when the new appropriation is available.

With kind personal regards, I am

Yours very truly

O. R. Vold, Manager

ORV:m  
Enc. 2

Committee's Exhibit No. 24

ej  
Carbon copy of letter

March 29, 1941

Mr. Ray B. Duboc  
Western Fire Insurance Company  
916 Walnut Street  
Kansas City, Missouri

Dear Mr. Duboc:

We acknowledge receipt of your communication in which you enclosed the "Windstorm Excess Re-insurance Contract No. W-51079" between your Western Fire Insurance Company of Fort Scott, Kansas and the State Fire and Tornado Fund of North Dakota. The same being issued on the basis of a \$33,000.00 coverage and for a period commencing August 1, 1941 and ending August 1, 1943.

We enclose herewith our voucher in the sum of \$10,000 to be executed and returned to us. When this voucher is received it will be approved by Mr. Erickson and myself for payment as of July 3, 1941. The appropriation for the biennium commencing July 1, 1941 will not be available until that date and, therefore, actual payment cannot be made before that time pursuant to the appropriation.

You should also send us the copy of the Re-insurance Agreement to be executed by Mr. Erickson and myself and if you will do so it will be properly executed and returned to you. We have already signed the original Agreement which you sent us in behalf of the Fund.

With kind personal regards, I am

Yours very truly

O. R. Vold, Manager

ORV.m  
Enc.

Committee's Exhibit No. 25  
ej

Bismarck, N.D.  
Aug. 3rd 1941

Mr. O. R. Vold  
St. Paul, Minn

Dear Otto:—

Send me out at once one half dozen colored films and one supher X all for 8 M M. camera.

L. M. Called today felt rather peeved that he should be the one to have to waite thought certain parties in Bismarck could have waired a few days with less incon-  
vience than he.

This is 6:30 ans still 94 above so I am glad I am not going to St Paul.

Greet friends at the St Paul Fire and Marine officies.

Oscar (typed)

Comm. Ex. #26  
ej

Ray B. Duboc, Pres.

E. C. Gordon, Secy-Treas.

**THE WESTERN INSURANCE COMPANY**

The Western Casualty & Surety Co.  
The Western Fire Ins. Co.

Executive Offices  
916 Walnut Street  
Kansas City, Missouri  
January 20, 1943

Mr. L. M. Peet  
% Mercy Hospital  
Des Moines, Iowa

Dear Mr. Peet:

When I put in a telephone call for you today and was informed that you were in the hospital, I talked to your Mr. Kretsinger. He assured me that you were doing all right and would be up on your feet again in a few days. I hope that is true and that you will not have another recurrence of your old trouble.

Without wanting to burden you with any business or political troubles while you are in the hospital, I think you might be interested in the substance of a telephone call which Mr. Vold made to our Clifton Otto yesterday. He said that the reinsurance matter was being investigated by a legislative committee and that they were quite embarrassed. He asked Otto if we would be in position to certify that we have complete reinsurance protection against the possibility of a maximum catastrophe loss. He said that they were being asked the question as to what would happen if the City of Fargo should be completely wiped off the map.

The State Fund has an aggregate net retention on all risks in the City of Fargo amounting to \$3,000,000. In case of a total loss they would recover the excess above \$100,000 from us, of which the first \$50,000 is our net retention and the excess is reinsured only to the extent of \$250,000. This situation is, of course, only a theoretical possibility inasmuch as the risks in Fargo are all fireproof buildings which are of the best wind-resisting construction.

The legislators asked the question as to what would happen to the solvency of the Western, if there should be such a catastrophe as I have mentioned. There is, of course, only one answer and that is that our company would be broke. There isn't any fire insurance company but what has an aggregate net exposure in some city of more than its total assets. The point is that no one considers the possibility of any such city being a complete total loss. Our underwriting is based upon experience—not the experience of our company alone but the combined experience of all companies. On the basis of such experience our reinsurance set-up is sound.

A sincere and honest inquiry into the merits of our treaty with the State Fund would be concerned, not with the theoretical

possibilities, but with the practical expectancy. I would like to remind them that our treaty has one favorable provision which gives the State Fund most excellent protection. The usual catastrophe treaty provides that the direct insurer's retention shall be of a certain amount in any one catastrophe. Our treaty provides that the State Fund's retention of \$100,000 does not have to happen in one catastrophe, but it can accumulate during any twelve months period. Therefore, a series of minor storms might give the Fund an aggregate net loss of \$100,000 above which we would be liable for all the excess. This makes the possibility of our losing \$300,000 or more a very real possibility and not a theoretical possibility. If we should attempt to go out and buy complete reinsurance protection on the unlimited loss possibilities of our treaty with the State Fund, it would cost us more than the total premium we have received. This should be proof enough that the State Fund has received valuable consideration for the premium paid to us.

Again let me say good luck to you.

Sincerely,

Ray B. Duboc /s/

RBD/IM

**INTERIM LEGISLATIVE COMMITTEE REPORT CONTINUED**

Committee reconvened at 4:00 P.M. January 16, 1945.

Appearances were as follows: O. R. Vold, Witness; George Kelly, representing Ernst and Ernst Auditing Company; George F. Shafer Counsel for Committee; and Committee Members as follows: Rep. A. C. Johnson, Rep. L. E. Callahan, Rep. Cornelius Bymers, Rep. E. L. Bagge, Sen. W. A. Thatcher, Sen. Franklin Page.

**JOHNSON:** Q. Mr. Vold, you are presenting a list of the premiums received by the Western Surety Company as Exhibit No. 27?

**VOLD:** A. Yes, I am.

(Exhibit No. 27 marked for identification)

**VOLD:** (Continuing) Referring to Committee's Exhibit No. 27, it is a statement of premiums that have been received by the Western Fire Insurance Company, and it was prepared and sent to us by that Company.

In various conferences and consultations had with L. M. Peet of Des Moines, Iowa, Mr. L. M. Peet at different times in Bismarck and elsewhere stated that the commissions on the premiums owed to the Western Fire Insurance Company and the Western Casualty and Surety Company from the State Fire and Tornado Fund and the State Bonding Fund in the form of premiums were to be paid to the Kansas City Insurance Agency, and that the said Agency was to pay the nets to the respective companies, meaning the Western Fire Insurance Company and the Western Casualty and Surety Company, and that the commissions after the nets had been paid to the companies were to be paid by this Kansas City Insurance Agency to him, Mr. L. M. Peet, of Des Moines, Iowa; that according to the statements given to you before, these commissions totaled \$34,111.99, and I am informed that the Kansas City Insurance Agency admits the receipts of commissions in that amount. At different times since the time in late 1938 when we stayed together at the McCleary's Clinic at Excelsior Springs, Missouri, Mr. Oscar E. Erickson and myself have had several conversations regarding these commissions which were then in the possession of L. M. Peet in Des Moines, Iowa. Shortly after my return from St. Paul the forepart of 1942, I had a conference with Mr. Oscar E. Erickson, regarding this subject of whether or not he had anything to show for his interest in this set-up with L. M. Peet in Des Moines, Iowa. He said he was going to have a con-

ference with Mr. Peet in that regard shortly and at a later date, I can't tell you the exact date, he made a trip in which he conferred with L. M. Peet in Des Moines, Iowa, and he mentioned the fact that he was with him also on a trip to Chicago.

When Mr. Erickson returned, he told me that he had made a set-up at Des Moines, Iowa, regarding the loose way of having all that money and securities there and which arrangement was satisfactory to him. He told me in that conversation that the stock in the Farmers' Union Life Insurance Company consisted of the major portion of the value, and that this stock had been placed in a safety deposit box in Des Moines in a sort of escrow or trust proposition, and that neither he nor Mr. Peet could take the stock or other values out of this box without the consent of the other. In reply to what Mr. Erickson said, I would make the statement that that kind of arrangement should properly secure Mr. Erickson as to his interest in the stock and other values in Des Moines. Whether these words are exactly the words that were used at the time, I can't specifically state, because you don't keep track of those things, but I know that is the way it sets back in my mind as the way I remember the conversation at the time, and I know it was right shortly after I returned from St. Paul. I might state that when I returned from St. Paul shortly before Christmas in 1941, that I wasn't at the offices here at all until along about April, 1942, when I went back to work. That does not mean except that as matters which concerned me would come up, the person in charge who was Beth Murray, would take those matters up with me. I spent the major portion of those early months in 1942 at Harvey, North Dakota, where I was taking treatments from a doctor at that place.

Shortly before the recess taken yesterday noon, your committee instructed me to sort out certain letters regarding Item No. 1, the new Capitol Cafe in the City of Bismarck. The purpose of now introducing certain exhibits in connection therewith is to show that the Cafe was owned by Mr. Oscar E. Erickson and myself in certain proportions already stated, and that the business of the Cafe from time to time was referred to us as the owners of that institution.

**JOHNSON:** I will now turn the chairmanship over to Mr. Byemers, as it is necessary for me to be absent.

(Vold passes paper to Byemers)

**BYMERS:** You wish to present this as an exhibit, Mr. Vold?

- VOLD: I. do.
- BYMERS: This will then be Committee Exhibit No. 28, I believe.  
(Exhibit No. 28 marked for identification)
- BYMERS: Will you tell the Committee what this is, Mr. Vold?
- VOLD: Referring to Exhibit No. 28, dated August 27, 1941, which is a letter from the bank at Sterling, North Dakota, and attached thereto is a note for \$400.00, dated March 19, 1941, and which was due on July 1, 1941, and signed by Agnes Shirely, O. R. Vold, and Oscar E. Erickson.
- BYMERS: Q. I have here an instrument which is a copy of a letter dated August 14, 1941, to Mr. Oscar E. Erickson, Commissioner of Insurance. Do you wish to present this as evidence, Mr. Vold?
- VOLD: A. I do.  
(Exhibit No. 29 marked for identification)
- BYMERS: Q. Will you state what Exhibit No. 29 is?
- VOLD: A. Referring to Committee's Exhibit No. 29, it is a copy of a letter which I wrote to Oscar E. Erickson from St. Paul, Minnesota on August 14, 1942, concerning the note of \$400.00 referred to in Exhibit No. 28.
- BYMERS: Q. Does the Committee want the letter read?  
(General Assent)
- VOLD: The Note referred to in Exhibit No. 29 which should be returned is Exhibit No. 28.
- BYMERS: Q. This was a copy of a letter, Mr. Vold, that you wrote to Mr. Erickson?
- VOLD: A. That is a copy of the original letter which I had signed. During the latter part of 1940 and the early part of 1941, we made considerable improvements at the new Capitol Cafe. Lumber and other materials used in this improvement was purchased partially from the Kline Lumber Company, Bismarck, North Dakota.
- BYMERS: Q. I have here a letter from the Kline Lumber Company to Oscar E. Erickson. Do you wish to offer this in evidence?
- VOLD: A. I do.  
(Exhibit No. 30 marked for identification)
- VOLD: (Continuing) Referring to Committee's Exhibit No. 30, it is the letter dated February 12, 1941 just read by Committeeman Byemers and addressed to Oscar E. Erickson, Bismarck, North Dakota. Attached to the letter you will find several charge slips and a statement showing the total amount due on these charge

slips. On the one statement, you will note that the account was carried by the Kline Lumber Company as Erickson and Vold, Capitol Cafe, and you will also note that on February 16, or a few days after this letter was written, the sum of \$144.90 was paid on this account, leaving a balance of \$100.00. This payment, of course, came from the funds of the new Capitol Cafe. The purpose of this is to show the ownership of the Cafe as Erickson and Vold.

SHAFER: Q: Did the New Capitol Cafe have an account in any of the banks from which the funds were handled?

VOLD: A: The checking account of the new Capitol Cafe was carried in the Dakota National Bank under the name of the New Capitol Cafe.

SHAFER: Q: Who wrote the checks?

VOLD: A: Agnes Shirely. I am referring, of course, to the practice up to the time I severed my connection with the place.

BYMERS: Q: I have a letter here dated August 19, 1941, headed, Bismarck, North Dakota, addressed to Mr. Vold, and signed simply Agnes, with a copy attached to it and headed St. Paul Minnesota, October 21, 1941. Will you state to the Committee what Exhibit No. 31 is?

(Exhibit No. 31 marked for identification)

VOLD: A: Referring to Committee's Exhibit No. 31, they say—Letter received by me from Agnes Shirely dated August 19, 1941. I might say this letter was written in St. Paul and attached is my reply written in St. Paul to Agnes Shirely.

BYMERS: Q: I have a letter here dated Bismarck, October 26, 1941, to Mr. and Mrs. O. R. Vold in St. Paul, signed by Oscar Erickson, attached to which a copy of a letter headed 1000 Ivy Avenue, St. Paul, Minnesota, dated October 28, 1941, addressed to Mr. Oscar Erickson. Do you wish to present this as evidence to the Committee.

VOLD: A. Yes.

(Exhibit No. 32 marked for identification)

BYMERS: Q. Does this concern ownership, Mr. Vold? If it has only to do with the ownership of the cafe, I would say we have had enough evidence.

VOLD: A. I have two more that have to do with the ownership of the cafe.

SHAFER: I would suggest that you can enter the exhibit in the record now. I read that letter and I don't think there is anything further in it that is new, and it deals only with the welfare of the business.

**VOLD:** Referring to Committee's Exhibit No. 32, the original letter is a letter dated October 26, 1941, written in longhand by Mr. Erickson to Mrs. Vold and myself at St. Paul. Attached to the letter is my copy of a reply to Mr. Erickson, written from St. Paul on October 28, 1941. Mention is made in this letter from Mr. Erickson and also to Mr. Erickson regarding the new Capitol Cafe.

**BYMERS:** Q. I have here a letter dated August 8, 1941, to Mr. Otto R. Vold, Examiner of the St. Paul Marine Company, St. Paul, Minnesota, headed "Dear Otto", signed by Oscar Erickson, Commissioner. Do you wish to present this as evidence to this Committee?

**VOLD:** A. Yes.

(Exhibit No. 33 marked for identification)

**VOLD:** (Continuing) Exhibit No. 33 is the original letter dated August 8, 1941, written by Oscar E. Erickson to me at St. Paul, Minnesota. In the letter, several references are made to the New Capitol Cafe.

**BYMERS:** Q. I have here a telegram: "Bismarck, North Dakota, November 28, 1941. O. R. Vold, Examiner, St. Paul Fire and Marine Insurance Company, signed by Oscar Erickson. Do you wish to present this as evidence?"

**VOLD:** A. Yes, sir.

(Exhibit No. 34 marked for identification)

**VOLD:** (Continuing) Committee Exhibit 34 is the original telegram sent by Oscar E. Erickson from Bismarck, North Dakota, November 28, 1941, to me at St. Paul. The Telegram reads as follows: (Telegram read) It appears that shortly before this telegram was sent to me, Mr. Lasken, the owner of the Cut Rate Drug Store in Bismarck had approached Mr. Erickson about buying the entire soda fountain set-up in the drugstore for the purpose of moving it to the Cafe, and Mr. Erickson in this telegram suggests that I call him today for "stalling", meaning that I should stall him and it was done very successfully. This portion of the telegram which says was an extension of the lease in case any deal was made. The real purpose of that is to show who really owns the cafe.

Leaving No. 1, and going over to No. 3, which is in regard to the business given to the St. Paul Fire and Marine, and the Mercury Insurance Company, on which there was a twenty-five per cent commission of \$8,508.38 due. You will remember that yesterday I testified that this Grass business was increased from 30,000 to 34,000 for the purpose of taking care

of the \$1,000 which was paid to me as compensation for the difference in the Cafe from one-half interest to one-third interest. I have here a letter signed by "Cap" in longhand, which means Henry T. Murphy, and dated August 8, 1941, and addressed to me. I would like to offer that, and after it is offered, I will explain it.

(Exhibit No. 35 marked for identification)

**VOLD:** Referring to Exhibit No. 35, which is the letter from "Cap" Murphy, dated August 8, 1941, directed to me at St. Paul, and which reads as follows: (Letter read)

I would like to explain the first paragraph. It gave me considerable study to discover what that meant, because I know that I wasn't getting any money from him. On referring to the records, I find that shortly before I left North Dakota on August 2, or six days prior to the time this letter was written, I sold my car, which was insured with the Murphy Insurance Agency, and the check referred to here is no doubt the premium on the insurance policy.

**SHAFER:** Q. Was there a check enclosed with that letter?

**VOLD:** A. That is the only memory I have concerning that paragraph. I shall, however, attempt to get the information regarding that check and see if it corresponds with the date given in the letter.

The last paragraph reads as follows: "Everything seems to be going along fairly smooth with your establishment on the hill. Have 1600 of the four—for the St. Paul, and think balance will be in shortly—will probably be down there about 19th or 20th. Sincerely, Cap." Now, what that sixteen hundred of the four means, he has gotten regulations for 1600 in premiums of the 4th.

**BYMERS:** Q. I have here a telegram dated August 20, 1941, Do you wish to present that as evidence.

**VOLD:** A. I do.

(Exhibit No. 36 marked for identification)

**VOLD:** (Continuing) Regarding Exhibit No. 36, which is a telegram dated August 20, 1941, sent by H. T. Murphy from Bismarck, and to me at St. Paul, which reads as follows: "Call me five seven seven between five and five thirty today." Referring to Exhibit No. 35, and the last two lines thereof, which reads: "Will probably be down there about the 19th or 20th." This would indicate that he was having money given him on that same date, because this telegram reads: "Call me five seven seven,"

which is telephone number here in Bismarck. No doubt during this telephone conversation, Mr. Murphy told me that he was coming to St. Paul on the 25th, because I was to meet him. I was coming on the plane during the evening of August 25th, 1941, but like we brought out here yesterday, he unfortunately passed away the night before.

(Exhibit No. 37 marked for identification)

- BYMERS: Q. Will you state to the Committee what Exhibit No. 37 is?
- VOLD: A. Exhibit No. 37 is an application for travel authorization
- BYMERS: Q. Will you state to the Committee what Exhibit No. 37 is?
- VOLD: A. Exhibit No. 37 is an application for travel authorization from the Governor's office in the State Capitol, and this is my application to travel outside of North Dakota for a meeting Tuesday, July 22, and returning Friday, July 25, 1941. It was signed by Oscar Hagen, at that time Lieutenant Governor, no doubt for the reason that the governor was out of the city. I understand these orders or authorizations are made in triplicate and here are two of them.
- VOLD: A. The purpose of the introduction of this authorization to travel outside of North Dakota on July 22nd to July 25, 1941, inclusive, is to show that I have had authority from the governor of North Dakota to travel to St. Paul and return here as I testified yesterday that I was in St. Paul at the time that Mr. Murphy received that check for \$2500 from the St. Paul Fire and Marine, and Mercury Insurance Company as a portion of the \$7500, which later was increased to \$8500. That time is when the \$5,000 credit which was mentioned here yesterday was established by Mr. Murphy. At this time, I want to correct my testimony of yesterday to the effect that Mr. Murphy cashed this \$2500 check in St. Paul, and that I saw the cash there. No doubt, I had reference to seeing the cash on my return to Bismarck, and if my memory serves me right, at this time I returned to Bismarck from St. Paul with Mr. Murphy.
- SHAFER: Q. Do you recall seeing the check at St. Paul or any place else?
- VOLD: A. I think my testimony was that I saw the check and the cash both. But it is very apparent that the cash was seen here in Bismarck and the check in St. Paul. That is why I want to correct that portion of my testimony.
- JOHNSON: Q. Do you know if that check was made out directly to Mr. Murphy?

- VOLD:** A. It was.
- JOHNSON:** Q. Do you know who issued that check—what firm?
- VOLD:** A. I am fairly sure it was the St. Paul Fire Marine and the Mercury Insurance Company and their offices together. The purpose of the Exhibit No. 37, being the Travel Order, is to show that I was in St. Paul at the time this \$2500 check was issued to Mr. Murphy.
- BYMERS:** Q. Have you anything further to say on Exhibit No. 37 at this time?
- VOLD:** A. There is nothing more on No. 37, but I would like to give the testimony regarding the
- VOLD:** (Continuing) \$2500 check which was produced as having been gotten by Mr. Murphy on the trip to St. Paul during the same time as covered by the Travel Order No. 37. It was at that time that Mr. Murphy made arrangements for the set-up of the \$5,000 which was there to his credit when he passed away in August, 1941.
- SHAFER:** Q. Do you mean Trust Account?
- VOLD:** A. To my account instead of Trust Account. The balance of the \$7500 was the \$2500 which was paid by the St. Paul Fire and Marine in the form of a check on July 23, 1941, and which check was taken by Mr. Murphy back to Bismarck and cashed in Bismarck in place of St. Paul, as I testified yesterday, and then the \$2500 was paid to Oscar Erickson and I saw the \$2500 before it was paid to Oscar Erickson and I wasn't present when that \$2500 was paid to Oscar Erickson and I was present like I testified when the \$1,000 was paid to him received by the increase from \$7500 to \$8500 and which was by Mr. Erickson paid to me for that portion of the Cafe, reducing my interest from one-half to one-third.
- BYMERS:** Q. I have here a little note dated October 5, addressed "Dear Otto", and signed "Bill". Do you wish to offer this in evidence?
- VOLD:** A. I do.  
(Exhibit No. 38 marked for identification)
- VOLD:** (Continuing) Referring to Exhibit No. 38, which consists of an airmail letter envelope and the contents thereof, mailed on October 15, 1941, by Bill Koch of Bismarck, to me at St. Paul. The note says: (Reads)
- BYMERS:** Q. I have here an envelope and a letter inside. It was an airmail just signed "Bill", dated October 18, 1941. Do you wish to enter this as evidence?
- VOLD:** A. I do.  
(Exhibit No. 39 marked for identification)

**VOLD:** (Continuing) That is an airmail letter from Bismarck to me at St. Paul, mailed by Bill Koch, and it is here numbered as Exhibit No. 39, and the note on the inside reads as follows: (Reads note). I will explain later what this is.

**BYMERS:** Q. I have here an envelope containing a letter from the Department of Insurance, addressed to Mr. Vold, State Examiner, Fire and Marine Insurance, St. Paul, Minnesota. Do you wish to enter this as evidence?

**VOLD:** A. I do.

(Exhibit No. 40 marked for identification)

**BYMERS:** Q. Will you explain what that is?

**VOLD:** A. Exhibit No. 40 is a letter written by Oscar E. Erickson to me at St. Paul, dated September 1, 1941, which reads as follows: (Reads) I want to make one statement regarding this letter. The reason in the first paragraph where he refers to a loan, is because on September 1, that was just shortly after "Cap" died, and of course it was known to all of us that this \$5,000.00 could not be released other than through the Probate Courts, and of course it was later released as was testified yesterday.

Whereupon recess was called until 10:00 the following morning, January 17, 1945.

January 17, 1945. 10:00 P.M.

Interim Legislative Committee Report Continued.

**JOHNSON:** Meeting will be called to order after recess with the following Committee Members present: Callahan, Byemers, Bagge, Page, Thatcher, and Johnson; also, Mr. Kelly of the Ernst and Ernst Auditing Company, George Shafer, Counsel for the Committee, and Otto Vold, Witness.

At this time, I wish to call Senator Page to the chair to act as Chairman of this meeting.

**PAGE:** If there is no other business, we will ask Mr. Vold to proceed where he left off.

(Vold hands paper to Page.)

**PAGE:** Q. Mr. Vold, do you wish to offer this paper in evidence?

**VOLD:** A. I do.

(Exhibit No. 41 marked for identification)

**VOLD:** (Continuing) This is a statement of the Fire and Tornado Insurance Premiums, paid for the years starting with 1937, and ending with 1944, to the three major insurance agencies in Bismarck. By the statement, "Major Bismarck Insurance Agencies", I have reference to the

Murphy Insurance Agency which received the total premiums of \$200,108.68, the Bismarck Insurance Agency which received a total of \$56,424.47, and the Byrnes Insurance Agency which received a total of \$39,614.07. The Murphy Insurance Agency is represented by Henry T. Murphy before he died, and Mr. and Mrs. William Koch. The Bismarck Insurance Agency is represented by W. A. Hart, and the Byrne Insurance Agency is represented by Joe Byrne. This statement has been prepared for the Committee from the records of the Department, but the auditor now working for the Committee, and myself, together with the information gathered by the report made by the Special Senate Committee two years ago. I might call your attention to this statement at the first column headed the "Murphy Insurance Agency", and it totals \$200,108.68; that in these figures are the premiums paid which I have referred to in my testimony from time to time. I also wish to state that the total premium of \$114,920.48 paid to the Western Fire Insurance Company, and the Western Casualty and Surety Company was not paid through any Bismarck Agents and is entirely independent of the figures shown on this amount. On the payment of premiums of \$114,920.48, as having been paid to the two Western Companies, a commission of \$34,111.09 was paid to the Kansas City Insurance Agency at Kansas City, Missouri. The checks for the premiums, however, were issued to the two Western Companies and endorsed by them over to the Kansas City Insurance Agency. I might state that referring to the statements of the Insurance Premiums paid the Bismarck Insurance Agents, which is marked "Exhibit No. 41", it should be easy by examining that statement as to which agency shown on that statement was padding for the purpose of payment of the commissions for other purposes than to the agency.

We will now go on to No. 5 which in my opening statement I stated that Oscar E. Erickson made arrangements with me that reinsurance would be placed and commissions received back to pay him an additional \$100 per month salary. This was talked over at several times in those early years, and particularly during our stay in Excelsior Springs, Missouri, in the late fall of 1938. In 1939, in July or August, Mr. Erickson was sick in the St. Alexius Hospital here in Bismarck, and one day, several of us were up to see him, and I had with me a note with several memos thereon of the various matters which I should talk over with him, and he asked me to give that note to him, and asked for a pencil, and he wrote in his

own handwriting a further note at the bottom of that piece of paper.

(VOLD hands paper to Page)

PAGE: Q. Do you wish to offer this in evidence, Mr. Vold?

VOLD: A. I do.

(Exhibit No. 42 marked for identification)

VOLD: (Continuing) Referring to Exhibit No. 42, the further note written by Mr. Erickson at the bottom of the paper reads as follows: "See if you can raise me \$1,000 by the 17th on salary." At a later date, I did raise him something over \$1100 on this account, which he stated he needed for the purpose of making a payment of \$1,000 in interest on the house which he purchased from Mr. Jackson on 7th Street here in the city of Bismarck, and which is the house Mr. Erickson now lives in. That money was raised by giving reinsurance business to the Murphy Insurance Agency and the currency was given to me by Henry T. Murphy, and I delivered the currency to Mr. Erickson in the bedroom at his house to which he had in the meanwhile been removed from the hospital sometime during the months of July or August, 1939, which is the time to the best of my memory at this time. The amount of the currency was between eleven and twelve hundred dollars, and the fact that it was to be paid on that house was wholly a statement on the part of Mr. Erickson.

SHAEER: Q. Suppose you amplify where and under what circumstances the currency was delivered to you by Mr. Murphy.

VOLD: A. As to the place which I received the currency from Mr. Murphy, it is pretty hard to state at this time because there was so many of those deals that I can't remember that now, though I am sure that the money was delivered to Mr. Erickson in his bedroom at his house here at Bismarck, because he was sick in bed at the time and had moved to the house from the hospital. I am also positive that the notes soliciting the thousand dollars, which is Exhibit No. 42, was given to me. In the early stages of Mr. Erickson's terms as Insurance Commissioner is when he arranged with me that he should have this extra \$100 per month, making a total of \$300 per month he would receive as Insurance Commissioner. And without keeping any particular record of those payments, I know that from time to time, payments were made to cover the \$100 per month from the time that he was employed in the department, which was 84 months or 7 years, making a total of \$8400. Now, I do not

state that all of that \$8400 consisted of portions of reinsurance commissions, because it could also have come from other sources.

BYMERS: Q. What do you mean, Mr. Vold, when you say it could have come from other sources?

VOLD: A. For the purpose of assisting the Committee and not talking of several things at one time, I shall beg leave to answer that question later on.

BAGGE: Q. This money you stated was given to Mr. Erickson in this larger deal, was that outside of that \$8500?

VOLD: A. Yes, that was entirely separate—a deal in 1941, though it was a portion of the reinsurance premiums paid to the Murphy Insurance Agency for the benefit of that agency shown in that statement for the year 1941. It totalled in 1941 the sum of \$79,399.82, which was paid to the Murphy Insurance Agency in total premiums of reinsurance, or paid to Insurance Companies for the benefit of the Murphy Insurance Agency. On three different occasions, including the one mentioned on that slip known as Exhibit No. 42, I assisted Erickson in getting money to make payments on his house, in which he lives at the present time. To the best of my knowledge and including the payment referred to on Exhibit No. 42, this runs approximately \$3800. I did not keep no particular record of it, so those must be round figures.

At this time and before I forget it, I want to go on record as offering this Committee and anyone employed by it, that if you wish to inquire into my personal financial status and financial condition, I shall be glad to make available to the Committee or its employees any information you might desire in that connection. I will state, however, that you will find that at least two-thirds of the salary checks which I would receive from the two departments were spent or pledged in advance of the time that I received the money. And I fully recognize that I am under oath. What I mean by saying "spent" or "pledged", pledged means that I have borrowed money on my salary and given an assignment of the proceeds to be paid to someone else by myself, and when I say spent, I mean that I did not have money to pay my bills during the month; instead, I run the bills and at the end of the month, all I had to do was to take my salary to pay my bills; so, therefore, I considered my salary already spent.

I also want to state that when I commenced my employment with the Insurance Department in January, 1935, my net worth was very

letter, and that when I severed my connection or was fired in January, 1944, the net worth of both Mrs. Vold and myself was considerably less than \$10,000, or I would estimate it at approximately \$7500. That is not much to save on the salary that I received, which was \$250 per month—the last year and prior to that, \$225; and in addition to my salary, Mrs. Vold had an income from her business, and during 1936, in the month of August, my father died, where I received some money. I want to again state that all these matters concerning my own personal status financially, if the committee wishes or any of its employees, to check into those matters, I shall make all information available at any time. No one will admit my portion of these manipulations any quicker than I will myself, and if anyone knows of any manipulations that I am supposed to be a party to and if they shall so state it to me, I shall admit them if they are true and I shall deny them if they are untrue. It is not my motto at this time to keep anything away from this committee or any of its employees. It is my wish, instead, to tell anything and everything that I know and tell the truth and as stated in the opening of this hearing, I am doing that solely in self defense. I have a matter here concerning a building in St. Paul. I want to add to the other testimony that I especially wish anybody that might have heard some rumors concerning myself personally holding a bunch of property or anything like that, that that be brought out and I be given a chance to answer that under oath.

I again want to mention what Mr. Bagge mentioned this morning, that the premiums of \$114,920.48 paid to the Western Fire and Casualty Office, paid direct to them and not through any Bismarck agents, and that the payments were traced to the Kansas City Insurance Agency, and that also applies to the commissions on the \$114,000.

**BAGGE:** Q. In the opening statements, Mr. Vold, when you started to talk on the subject matter No. 1, you said that the moneys from the Capitol Cafe came from the commissions of reinsurance. Is there anything that you can tell us to tie that up?

**VOLD:** A. I suggested further that you would subpoena in that record of the Capitol Cafe, and then I would be allowed to show all that record which I kept myself in 1940 until I went to St. Paul in 1941, and since that time has been kept by Miss Beth Murray until the time I sold my interest in it. It will show the dates that this money was received and you can concern that with the business reinsurance record in

the department and show about the time that this money was received for the Cafe that there was a batch of insurance business given to the Murphy Insurance Agency on which this commission was paid and which they could take the commissions and apply it towards the Cafe. In other words, I would like to have that restaurant record and also the record of the reinsurance business in the department.

**BAGGE:** Q. Do you recall whether money that went into the Capitol Cafe was paid to you or Erickson by Murphy in cash or how was it handled? To you or Mr. Erickson?

**VOLD:** A. I would say both of us. If I was out, some of it would be handed to Erickson, and if I was here, I would be handed it. We took the original money and put it into the name of the cafe in the bank account and paid those bills and then of course after the bills were paid, what money Nick Zappas had coming was paid to him by checking to the Cafe.

**BYMERS:** Q. That was deposited direct to the New Capitol Cafe?

**VOLD:** A. That was in the Dakota National Bank in the name of the Capitol Cafe. If I had that record, there is a column in that record which is headed investment account, and whenever any additional money is put in to the business, there would be a credit there made to the investment account so that column in that book will show all of those cash entries and that will offset by the deposits what was made in the bank with the cash.

When I was going to St. Paul on that examination, I was appointed for that purpose, I told Mr. Erickson that I was willing to pay the same money for getting that job as other examiners did. My knowledge of the money paid to the commissions on the examinations is none other than my own appointment, and in our conversation at the time of the appointment, he said that if I would pay the same as the others, which was \$7.50 a day out of the \$25.00 to him (Mr. Erickson), that was satisfactory to him and with that understanding, I went to work on August 4, 1941.

**VOLD:** (Continuing), I have previously stated that on September 8, I become sick—that was the time I had the partial stroke—and I did not go back to work until in November, 1941. Sometime immediately prior to November 24, 1941, I had a conversation on this subject with Mr. Erickson.

**SHAFER:** Q. Do you wish the Committee to understand that it was the practice of the Insurance Company Examiner to divide the compensation with Mr. Erickson on the basis of \$7.50 per day?

VOLD: A. That is the information which I received from Mr. Erickson.

SHAFER: Q. Do you wish the Committee to understand that while you had such examiner's position, you paid him \$7.50 per day from the \$25.00 per day fee received by you?

VOLD: A. No, I don't admit that. My explanation of the exhibit will answer that.

(Vold hands paper to Page)

PAGE: Q. Do you wish to offer this in evidence?

VOLD: A. I do.

(Exhibit No. 43 marked for identification)

VOLD: (Continuing) Referring to Exhibit No. 43, it is a copy of a letter which I wrote to Mr. Erickson on November 24, 1941, and attached to this copy is a cancelled check of mine for \$50.00. That letter reads as follows: (Reads letter)

In this conversation which I referred to in this letter as having had with him last week— That is, just immediately prior to November 24, 1941, I asked him if it was still expected that I should pay this \$7.50 per day as we had previously agreed on, now that I had been sick and off duty and had this additional expense and he said no, that as far as he was concerned, I did not have to pay that \$7.50 per day; that he and Jim Kennelly, his deputy, were going to the National Convention the following month, and that there would be some additional expense in going to that convention and that if I would assist in paying of that expense money, then I should just forget about this \$7.50 per day, and I sent him a check for \$50.00 to help and it is signed by Oscar Erickson and later J. W. Kennelly who no doubt disbursed that expense money.

PAGE: Q. While you were examining Insurance Companies as Examiner, were you still drawing a salary as Manager of the Fire and Tornado Fund?

VOLD: A. Certainly not. If anybody has represented that I have, it is a misrepresentation of the facts. During the time that I was in St. Paul, I got a leave of absence from the Department, and I still consider myself as an employee of the North Dakota Insurance Department.

BAGGE: Q. At that time did you pay \$7.50 to Mr. Erickson.

VOLD: A. I never did. On account of this sickness, he said it wasn't necessary. No arrangements were made for it. That is, the arrangement we talked about in the arrangement just before November 24.

- SHAFER: Q. What Convention was this that you referred to and what persons were going to it?
- VOLD: A. The Convention was the National Convention of Insurance Commissioners.
- SHAFER: Q. Who representing the Insurance Department did attend the Convention?
- VOLD: A. The Commissioner, the Deputy Commissioner, and the Actuary.
- SHAFER: Q. And their expenses were paid by the Department?
- VOLD: A. That is right.

(Continuing) I want to make this clear at this time that any rumors regarding kickbacks to Mr. Erickson on this matter of examinations, that that had nothing to do with the department in which I was an employee which was the State Fire and Tornado Fund and Bonding Department and therefore I had no reason for ever inquiring into that and I know nothing about it other than what I have stated was the understanding between him and I on this St. Paul examination and which is the only examination that I have been on.

I would like to inquire now of the members of the Committee if it is your wish that I refer to instances where there might not be any documentary evidence or any record to refer to as to its correctness.

- SHAFER: Q. I think that perhaps we will take care of that when you get through. We will ask you a number of questions as to the basis of some of your claims: What records there are supporting them.
- VOLD: A. Then I would say that the only thing further I wish to go into at the present time is that one that I like to have Mr. Johnson present when I make.
- BAGGE: Q. How long would that take?
- VOLD: A. Possibly half an hour. I might add this until Mr. Johnson comes. Between 1937 and the time when you could not buy any more automobiles and not including the car which I am driving now, which is not my own, and not including the Chrysler car which Mr. Erickson is driving at the present time which he purchased from the Corwin-Churchill Motors here, but prior to then and generally each year, both Mr. Erickson and I bought our Plymouth cars from Joe Blaisdell of Minot, and we generally arranged for a trade, but we did not pay the difference in price. Instead we would send some reinsurance business to J. C. Blaisdell, Sr., and which is Joe Blaisdell's father, and he would pay the commission out

to the Blaisdell Motor Company. That accounts for the heavy insurance business given to J. C. Blaisdell, Sr. And you will find that J. C. Blaisdell, Sr., paid commissions to the Blaisdell Motor Company, because I know that is what they told me—the old man and young fellow—was being done. I might further state, to substantiate my statement regarding the car deals, that there was one deal made in the same manner which involved a man who is not under investigation here. I have a letter from young Blaisdell asking that the business be hurried up to take care of that deal. It seems as though the business wasn't coming through or was delayed some. The reason I would rather not turn that letter in here as evidence is because the man mentioned in that letter is not under investigation here and was not and has never been an employee of the Insurance Department. But the plan of handling car deals was set up in that letter.

BAGGE: Q. Was reinsurance commissions supposed to take care of the car deals for the party you just mentioned?

VOLD: A. Yes, the business was sent to old man Blaisdell, who is the Insurance Agent and he would take commissions on the business and give it to his son, Joe Blaisdell.

SHAFER: Q. Were these cars bought for you and Mr. Erickson personally?

VOLD: A. Yes, sir.

SHAFER: Q. So the result was that you and Mr. Erickson received pay for part of the purchase price of such cars through commissions credited on those sales on insurance given to Mr. Blaisdell, Sr.

VOLD: A. That's right.

SHAFER: Q. How many of those car transactions were there?

VOLD: A. I know that personally I had two if not three of them and how many Mr. Erickson had I couldn't state.

SHAFER: Q. Did you and Mr. Erickson deal separately for you respective cars with Mr. Blaisdell?

VOLD: A. Yes. One was made by making a trip to Minot together.

SHAFER: Q. In connection with whose purchase?

VOLD: A. Erickson's and also the other fellow I told you about.

SHAFER: Q. In none of the cases would either of you pay cash to the Blaisdell Motor Company for the difference between the purchase price and the trade-in value?

**VOLD:** A. No, we got our new car without any, and traded in the old cars without any additional cash payment. Cash payments, as stated, were taken care of by old man Blaisdell who received reinsurance on which there was commission enough so that he could pay the money to the Blaisdell Motor Company.

I have already testified as to the placing of the reinsurance with the St. Paul and Mercury Insurance Company in 1941 shortly before I went to St. Paul, and where \$8,508.38 in commissions was paid back and that is where the \$5,000 fund was set up. I shall admit that an arrangement for the receiving of the \$8500 in one deal which might have looked rather appetizing, because we immediately arranged for the purchase of some property down there in St. Paul.

**SHAFER:** Q. Who do you mean, "we"?

**VOLD:** A. The "we" is Oscar E. Erickson and myself. This property was owned by the American Lutheran Church which formerly used to be a college. There is something over thirteen to fourteen acres of land, and on one end of the property was the last buildings which were constructed by the church for that college and which was used as a girl's dormitory. The idea was to buy that building and have it rebuilt into an apartment house. And the other buildings on the grounds other than the two dwellings were to be wrecked. In the buildings to be wrecked was a pipe organ.

(Vold hands paper to Page)

**PAGE:** Q. Do you wish that introduced in evidence?

**VOLD:** A. Yes, sir.

**PAGE:** Q. Will you state what it is?

**VOLD:** A. In one of Mr. Erickson's visits to the place during the latter half of 1941 while I was in St. Paul, we visited these buildings and this pipe organ came to Mr. Erickson's attention. Exhibit No. 44 is a letter dated December 24, 1941, from Mr. Erickson to myself. On his return to Bismarck, he apparently made use of the knowledge which I had regarding the pipe organ, because he wrote me this letter. (Reads) It turned out at a later date that the organ was of no particular value for the purpose that he anticipated.

(Exhibit No. 44 marked for identification)

(Vold hands paper to Page)

**PAGE:** Q. Will you state what that is?

**VOLD:** A. A letter dated November 7, 1941, from Oscar E. Erickson to myself, and a copy of my reply dated November 10, 1941. It just

mentions matters in connection with this building in St. Paul and the contacting of Reverend Schuh of Columbus, Ohio, about getting the price on it.

(Exhibit No. 45 marked for identification)

VOLD: Going into the next year, 1942, I made a trip down there and Mr. Erickson did the same.

(Exhibit No. 46 marked for identification)

VOLD: Exhibit No. 46 is a telegram from Minneapolis, signed Oscar Erickson and to myself here at Bismarck. It reads as follows: (Reads) No wrecking till after July means that the college buildings themselves would not be wrecked till after July.

SHAFER: Q. Does that telegram have reference there to the college building in St. Paul?

VOLD: A. It has. The property in reference there to the wrecking is the St. Paul property.

PAGE: Q. Will you state what Exhibit No. 47 is, Mr. Vold?

(Exhibit No. 47 marked for identification)

A. Exhibit No. 47 is an option on that girl's dormitory which I have previously referred to. The option was taken for sixty days and extended for another period. The option is dated September 23, 1942. During 1942, I made several inquiries as to the cost of re building this dormitory and one of the fellows of whom I made inquiry happens to be a member of your committee, so I am sure he can tell you that I am telling the truth. Mr. Johnson, your committee member, made a very good job at appraising the value of the repairs that had to be done to the building and I have kept them to this day. The intentions were after these negotiations in 1942, that the 1943 legislature would re-appropriate for reinsurance. Of course, if they had not; that is, where funds would have been received to go through with this deal, and as long as that wasn't done in 1943 at the session of the legislature, the whole deal was dropped. And the deal there was 50-50 between Oscar and me, though I am ashamed to say it. After the results of the legislation in 1943, there was nothing ever done. I think the provisions were for \$100 for original and renewal for sixty days for another \$100.

BAGGE: Q. Who paid this \$100?

VOLD: A. Out of the Capitol Cafe.

VOLD: A. Without checking that up, I couldn't say. But I am pretty sure that it was. Anyway, the Capitol Cafe financed the option. I might say that the money for the option was paid to Klapp-Thompson Company in St. Paul, which

was a real estate concern, and you will find that the checks, if you can get hold of them, issued by the Capitol Cafe at that time, were payable right to Klapp-Thompson.

You will also find that there are checks to the Capitol Cafe payable to H. W. Orth, that is the architect that drew those plans. I don't mean to say that is all I have got that you folks would be interested in. But so that you may proceed to get your questions that you referred to ready, that is all I will give you at this time.

Whereupon meeting was adjourned to 3:45 P.M. 3:45 P. M., January 17, 1945.

Meeting called to order. Appearances were as follows: O. R. Vold, George Kelly, George F. Shafer, A. C. Johnson, L. E. Callahan, Cornelius Bymers, E. L. Bagge, W. A. Thatcher, Franklin Page.

VOLD: During the recess, I thought of a few other points that I would like to state.

PAGE: All right, you can state them, Mr. Vold.

(Exhibit No. 48 marked for identification)

PAGE: Q. Will you state what Exhibit No. 48 is?

VOLD: A. Exhibit No. 48 is a seventy page pamphlet of which I am the author, and of which considerable circulation was made during the year 1944. The pamphlet will speak for itself.

I also wish to state that when Henry T. Murphy was living and who is also referred to as "Cap", most dealings were had with him representing the Murphy Insurance Agency, but were not kept from William and Frances Koch, and at many times, both the Kochs or one of them might be present during certain dealings. After Mr. Murphy's death, all business was continued in that agency on the same basis, by William and Frances Koch. It is my judgment that the greater portion, or at least 90 per cent of the warrants on the State Treasurer drawn by the Fire and Tornado Fund in payment of reinsurance premiums were assigned by Mr. Erickson and myself as manager of the fund, or both of us. It has been reported to me that considerable accusation have been thrown at me in connection with the purchase of a building here in Bismarck known as the McLean Building, and located at 212 Main Street, here in Bismarck. It is true that this building was purchased and I would like to show by the records at the Register of Deeds Office in Burleigh County that this building is now owned by Mrs. Vold and does not cost us one dollar. In fact, we have made money on it. I shall be glad to reveal all the figures on how the building was

purchased and how that condition exists at the present time to anyone the committee might designate to procure that information. In the former testimony, I would state that he would explain the reason why I was licensed as a Fire Insurance Agent while employed in the offices of the State Fire and Tornado Fund. I have not done so as yet, but I can do so now, or will do so if you will ask me that question. That is all at the present time.

PAGE: Mr. Schafer, do you have some questions to ask Mr. Vold?

EXAMINATION OF MR. VOLD BY  
MR. SHAFER

EXAMINATION BY MR. SHAFER

SHAFER: Q. Mr. Vold, let us first take up for consideration the whole subject of the New Capitol Cafe, and the relationship which you and Mr. Erickson and Miss Shirley and others may have had to that business institution. As I understood your statement, the New Capitol Cafe business was purchased on or about June 5, 1940, for \$2300. Is that right?

VOLD: A. That is correct.

Q. And the purchase was made of one Nick Zappos, who owned the business at that time?

A. Yes, sir.

Q. The business was located in the Lasken Building on 5th Street?

A. That's right.

Q. Mr. Lasken owned the building and Mr. Zappos rented the building for the purpose of carrying on this cafe business?

A. That's right.

Q. Your purchase did not involve the purchase of the building.

A. No.

Q. But it did involve acquiring a new lease from Mr. Lasken after you bought the business?

A. That is right.

Q. Now was the price of \$2300 the agreed consideration for the sale of the business between Mr. Zappos you and Erickson as purchasers.

A. Yes.

Q. I understood you to say that that wasn't paid to him in cash, but was paid in the form of the settlement of various debts which he owed around Bismarck of an amount equivalent to \$2300, or thereabouts.

A. That's right.

Q. Was there any money paid to Mr. Zappos as a part of the purchase price?

A. Yes.

Q. How much?

A. There apparently was some trouble at the time between Mr. and Mrs. Zappos and whom I was informed immediately following the sale of this cafe separated and were divorced, and in this set-up, \$500 was to be paid to Mrs. Zappos, and which was paid to her and she signed a release as far as having any interest in the place after she received that payment. In addition to that \$500, very little was left for Mr. Zappos. The exact amount, I couldn't tell you without having the records, but I would say that it was less than \$200.

Q. Whatever that balance was, it was paid to Mr. Zappos?

A. Yes.

Q. And this \$500 payment to Mrs. Zappos was a part of the consideration?

A. That's right.

Q. What was done on or about June 5, 1940, that causes you to name that as the date of the purchase of this property?

A. Well, that was the day that the cafe was taken over from Mr. Zappos.

Q. Was it a going business at the time?

A. Yes.

Q. What all in general did the assets properly consist of?

A. Fixtures in the place and a full line of kitchen utensils and fixtures in the kitchen and a small amount of stock. Stoves and cash registers.

Q. Had the business been in operation for any considerable length of time?

A. The business had been in operation since I came to Bismarck in the early part of 1933 and how long prior to that, I couldn't say. The control of the business and the property that went with the sale was turned over about June 5, 1940.

Q. To whom was the deal made?

A. The deal was made to Agnes Shirley who took possession and operated the place from that date on for Mr. Erickson and myself.

Q. What was the form of the contract if any evidencing that transaction.

A. A Bill of Sale was given by Mr. and Mrs. Zappos in favor of Agnes Shirley, and another

Bill of Sale was made out in blank and given by Miss Agnes Shirley for the benefit of Mr. Erickson and myself.

Q. Do you know what became of those instruments?

A. That blank Bill of Sale? No.

Q. Was that filed?

A. Yes.

Q. In the Register of Deeds Office in Burleigh County?

A. Yes.

Q. Who filed it?

A. No answer.

Q. That is not important. But you are quite sure it was filed?

A. That's right.

Q. Go on with your statements about the so-called blank Bill of Sale from Miss Shirley.

A. That Bill of Sale was acknowledged as a Notary Public and I mean who acknowledged Miss Shirley's signature was Lucille Larkin, and then the Bill of Sale was put away in my office with other papers in my office like Insurance Policies. On August 2, 1941, when I went to St. Paul, and this agreement reducing the share in the cash . . .

SHAFER: (Interrupting) That was the following year?

A. 1941. Than it was kept by me from 1940 to August 2, 1941, and then when I went to St. Paul, I turned that and the Insurance Policies and all matters pertaining to the Cafe to Mr. Erickson who put it in his safe in his office.

Q. You mean in Bismarck here?

A. Yes.

Q. You know where it is now?

A. At the time—strike that out.

Q. As I understand you to say, that Bill of Sale was made out in blank. Your name and Mr. Erickson's was not given in the Bill of Sale as grantees.

A. That's right.

Q. So far as you know, that Bill of Sale is in Mr. Erickson's possession yet?

A. That's right.

Q. You haven't had it back?

A. No.

Q. Now, you offered in evidence an agreement—Committee's Exhibit No. 1, which purports to indicate the respective share for yourself and Mr. Erickson in this business as of August 2, 1941. What was the occasion of making that agreement out between you and Mr. Erickson?

A. Prior to that time and August 2, 1941, the business was owned on a 50-50 basis between Mr. Erickson and myself, and any profits that accrued were divided the same way. On August 2, 1941, as the time when I was paid \$1,000 in cash for a portion of my interest in the Cafe, or the difference between 50% and 33½%, and when that was given, then this agreement was signed up between Mr. Erickson and myself.

Q. For the purpose of showing that your interest had changed in the business?

A. That's right. Or reduced from 50% to 33½%.

Q. Now you stated, I believe, in respect to the source of the purchase price of this purchase, that the money was furnished by the Murphy Insurance Agency?

A. Yes, sir.

Q. That is correct?

A. That's right.

Q. Now before going into a more particular statement in this respect as to how that money was furnished and what it represented, will you state to the Committee how you and Mr. Erickson became interested in the matter of buying this cafe and became associated together in that business?

A. You mean what conversation took place between us?

Q. How did it happen?

A. Well, I had conversations at the office and also downtown when we met to look over the values that were in this cafe, and Nick Zappos at different times talked to both of us or one of us separately regarding the possibility of his buying the cafe.

Q. Did Zappos initiate the negotiations by offering to sell to one or the other or both of you?

A. Yes.

Q. Than go ahead and state according to the best of your recollections how you and Erickson came to buy it together.

A. I know from my own standpoint, the main reason that I was interested in it was that

we could purchase it and the way that Erickson and I had talked it over, that we could apply this reinsurance money and we could purchase it without any money. I know that if I had to pay the cash for it myself, it wouldn't have been purchased, because I didn't have the money.

Q. What about Mr. Erickson's financial situation?

A. According to what he stated at the time and several other times, he would not have purchased the restaurant for the same reason.

Q. In other words, neither of you had the capitol on your own account, unless you got it from the source you did get it from?

A. That's right.

Q. Why were you interested in getting into this business together at all?

A. I would say that the main reason was that this business could be bought and we thought that there was money in it.

Q. You thought that it would be a good joint enterprise for you?

A. That's right. And further, my reason for being interested in that type of business was that on June 5 and immediately prior thereto, 1940, my future wife to be was operating a like business with confectionery in the city of Harvey, North Dakota.

Q. That was prior to your marriage to Mrs. Vold?

A. Yes.

Q. Were you and Mr. Erickson at this time jointly interested in any other enterprise?

A. No.

Q. This is the beginning of your business associations in private business?

A. That's right.

Q. Well, I take it that after some discussion, you and Mr. Erickson on your side, and Mr. Zappos agreed on this price of \$2300?

A. That's right. And the manner in which it was to be paid.

Q. Of course the manner in which it was to be paid had to be cash, because he had to have it in order to pay his bills, it had to be cash and most of it had to go to his creditors?

A. That's right.

Q. And you did not turn over any cash to him for the purpose of . . .

(Interrupting)

A. We paid his bills.

Q. Did he finish the debt?

A. He did.

Q. And you verified it with the creditors?

A. Yes; not only that, but we also agreed with him that he would be allowed to arrange discounts with his creditors because some of the bills was run a considerable length of time.

Q. Did he owe more than \$2300 outside of this \$2500 that was paid to his wife?

A. That's right. Of course the aggregate amount of the bills might have been more but many of the bills were discounted.

Q. He was able to settle for that amount?

A. That's right. And these payments when they were made to these creditors we owed him as part of the purchase price, they were paid by our checks.

Q. That is, you explained that before. They were actually paid by checks on that account of the New Capitol Cafe on the Dakota National Bank after you had opened an account there. Will you tell us how did Mr. Erickson get the money for the purpose of opening that account?

A. Most likely from Henry T. Murphy. It is possible that he would leave some money there with Frances or Bill Koch and I would get it from them, because they fully understood.

Q. Before this deal was closed with Zappos, did you or Mr. Erickson discuss the matter?

A. Yes.

Q. Do you remember the circumstances of that? And where it took place?

A. That was the whole deal. If it couldn't have been that, there was no chance at all to buy the place.

Q. I don't suppose that was where you were getting the money?

A. No.

Q. Before you closed with him, you must have talked with Murphy.

A. That's right.

Q. Do you remember where and under what circumstances that conversation took place at all?

A. I can't say. I have an indefinite recollection of it because there were so many of these deals.

Q. Had there been several before that?

A. Oh, yes.

Q. Well, do you remember the amount of money and in what form that money was turned over that you obtained from Murphy?

A. If I remember rightly that the records—this book record of the Cafe would be the best information. It would itemize this investment account. If I remember rightly, the first deposit which was made in the Dakota National Bank and which opened the New Capitol Cafe account was \$1,000.

Q. Who opened that account?

A. Agnes Shirley had to be there for the reason that she was to have her name authorized to sign checks.

Q. Did she open the account or did you open it in her name? Were you there with her?

A. No.

Q. And do you recall in what form the deposit was made? Was it a deposit of currency or checks or what?

A. Currency.

Q. So the records of the bank or the business should show a cash deposit of \$1,000 as the opening item in that account?

A. That's right. In the Dakota National Bank.

Q. Was there a bank book issued or a deposit slip or what?

A. She got a passbook then for the Cafe and the checkbook for the Cafe.

Q. Now then, do you have any definite recollection of when and who gave you the thousand dollars in currency?

A. Well, knowing the situation like I do, I know that I got it from the Murphy Insurance Agency, and while "Cap" was still living the greater number of the deliveries of these moneys were made by himself. For that reason, I think it was "Cap".

Q. The best recollection was that "Cap" gave him the thousand dollars in currency?

A. That's right.

Q. Where did you pay?

A. I would say in Bismarck.

Q. Closer than that.

A. I would say either in his office or at our offices up at the Capitol.

Q. As I understand you to say, that is not the first time he delivered currency to you or Mr.

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Erickson in connection with rebates on insurance commissions.

A. That's right.

Q. This is just one of the transactions?

A. That's right.

Q. Now tell us whether Mr. Erickson knew of the payment of this thousand dollars' currency by Murphy and what it was for.

A. That's right. He knew because him and I talked about it several times and at this particular time right while I was down in other cases, that when any of these deals were consummated, I always reported back to Erickson that the deal between he and I, like he . . .

Q. (Interrupting) Would you say that these records show where the first thousand dollars came from?

A. That was the Cafe records, and all that would show was a thousand dollar currency deposit.

Q. It would show the thousand dollars currency to the cafe. It will not show who you got it from.

A. You would have to tell the bank all about it.

Q. You kept in this records of the Cafe business?

A. That record will show that on such a date, there was a thousand dollars invested in the business and it would run over into cash account, thousand dollars, to offset that investment account.

Q. It will not show where the thousand dollars came from, except that it came from you as purchasers.

A. That's right.

Q. It isn't showing that you borrowed it or somebody gave it to you?

A. No.

Q. As far as the records are concerned, it would look as if the new Cafe Company had deposited a thousand dollars by way of investment.

A. That's right.

Q. That does not throw any light on where you got the thousand dollars?

A. That's right. I might further state that the records in the offices of the State Fire and Tornado Fund might show that in that particular time, certain warrants were issued for reinsurance to the Murphy Insurance

Agency or some company therein represented where that particular thousand dollars would be obtainable, which would be the same thousand dollars that was deposited in the bank.

Q. In other words, the records of the insurance was made showing that Mr. Murphy received enough business that he earned a thousand dollars through reinsurance business?

A. That's right.

Q. What about the rest of the money that was placed in the investment over and above the thousand dollars. Where did that come from?

A. After the original deposit was made— from that time on, whenever Agnes Shirley needed any money with which to pay for bills on improvements, she would contact either Erickson or I and if the contact was made with me, then I would contact Mr. Erickson, and money would be procured from these commission on reinsurance and the money would be given to Agnes Shirley and she in turn would deposit it with her regular deposits.

Q. What about the money required to pay off the other debts before you got to the matter of improvements?

A. It took more than the original \$1,000 to pay off the debts.

Q. When were these claims paid with regards to the time that you acquired the business?

A. I would say that that would be paid within the next six months. Several of those accounts were held and Nick Zappos wanted to try to get as big a discount as possible. In the meantime we had held back money from the purchase price until he got a settlement with the creditors.

Q. Then you settled with the creditors?

A. No. I said "until he got settled with the creditors.

Q. But you paid the amount? If the claim was \$600 and you got a settlement of \$500 then the Capitol Cafe had a check issued?

A. But that does not mean we would pay the settlement for Nick.

Q. Now, getting back to where the money came from to pay that. Before you got to the improvements, you had to pay \$1300, about.

A. That money was received from the same source.

Q. How did it come to you? \$1300 or \$1000 or how?

A. After the original deposit was made, the specific amounts, when and the amounts of the deposit, I don't remember without referring to the records, but like I stated before, I kept those records from the time the place opened until August 1.

Q. The records will show how much you deposited from time to time in the name of the Cafe with Miss Shirley as manager. But it will not show where you got the money?

A. That's right.

Q. Will your recollection aid us in that regard?

A. Well, if I had the records of the Cafe to show when the money was deposited and then if I had the records of the department, I could put the two of them together.

Q. You might figure it out as a matter of reason.

A. My memory is not that good.

Q. Do you want the Committee to understand that you got the whole of the money from the representatives of the Murphy Insurance Agency?

A. Or from companies represented in the Murphy Insurance Agency. You see, in many cases, the state agents would receive this business for the Murphy Insurance Agency.

Q. Did the State Agents turn money over to you, too?

A: I didn't say that.

Q. That is what I am getting at. I mean how it got to you.

A. I don't understand your question.

(Question read by reporter)

Do you want the Committee to understand that you got the whole of the money from the representatives of the Murphy Insurance Agency?

A. My answer to that is yes.

Q. And particularly from whom?

A. I think I also mentioned Bill or Frances Koch.

Q. You mentioned they were there and were taking part in conversation.

A. And I also said that at times when I would get the money from Bill and Frances or either one of them as representing the Murphy Insurance Agency and Mr. Murphy—just which time is which. . .

Q. Just which time is which, you don't recall?

A. That's right.

Q. Do you recall in what form they gave you the money? In check or where did they turn it over to you?

A. I would say currency, though there were some checks given by Murphys and just to me, and I think also to Mr. Erickson and just how they come into this picture, I couldn't tell you without seeing the two records.

Q. Do you think they turned the checks over to you? Or did I misunderstand you?

A. Yes, I think there were some checks given to me.

Q. Whose checks would they be? On the Murphy Agency account?

A. The Murphy Agency account or Mr. Murphy personally. Or they could be Mr. Murphy personally. I will put it that way.

Q. I am talking about the original \$1300. Some of that was possibly turned over to Mr. Murphy in the form of checks?

A. No. You are asking the question about all the moneys that was turned over?

Q. I am talking about \$1300. You told us the thousand dollars was cash. I am trying to find who gave you the \$1300.

A. I have already answered you that outside of the thousand dollars initial deposit, my memory can't serve me right without two records: That of the Cafe and that of the office.

Q. You think that would help you as to the form?

A. I think that would help me as to who paid the money and the amounts and the dates.

Q. Did Miss Shirley acquire any interest in the business?

A. Not to my knowledge.

Q. She wasn't a silent partner?

A. She was what you might call the front for Mr. Erickson and I. All licenses were issued to her.

Q. Is she here now?

A. She is. She is now known as Mrs. James Glock.

Q. Did she continue to run the business as the interest was purchased?

A. Yes. And also her husband who told me that he had purchased a thirty per cent interest.

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Q. Is it your understanding that your 30% interest finally reached her husband?

A. That could be the case.

Q. Are they running the restaurant now?

A. My information is that they are.

Q. Did Miss Shirley have any knowledge as to where you and Erickson were getting the money?

A. If she had, she didn't let on.

Q. She wasn't any part of the inside arrangements between you and Erickson and Murphy?

A. No.

Q. She did not provide any money?

A. She did not.

Q. She wasn't named Manager?

A. That's right.

Q. Who drew the checks on the account?

A. Myself.

Q. Collected the money and deposited them to the account?

A. That's right.

Q. And in general represented you and Mr. Erickson in running the business?

A. That's right.

Q. Now do you know whether or not Mr. Murphy or either of these other folks in the Murphy Agency turned any money to Erickson for the purpose of financing this purchase or was it all turned over to you by whoever furnished it?

A. No, the money might have been turned over to Erickson or myself, either one.

Q. I am referring now to the \$2300 amount.

A. That's right.

Q. He might have gotten some of it, you say?

A. That's right.

Q. Who do you state it that way, that he might have?

A. The reason is because I know that when moneys were furnished by me to Agnes Shirley, then I would receipt it and if the money was received by him to Agnes Shirley, then he would receipt it.

Q. You mean the money was turned over to her and she deposited it?

A. That's right.

Q. Whoever provided it, she deposited it?

A. That's right.

Q. You say you were keeping books on this business from the time it started until July 1, 1941, when the books were turned over to Beth Murray?

A. That's right.

Q. Where did you get the information to put into those Books?

A. Agnes Shirley.

Q. She reported to you periodically?

A. Not periodically. I would go to the Cafe and get the daily cash register slips as to the total amount and then I would take them and the check book and the pass book and take them with me up to the capitol where the main book was kept and post them. Then I would take the check book and the pass book back to her place of business.

Q. Every day?

A. No. Every four or five days.

Q. In the meantime she kept the data to put into those records?

A. Yes, the money and the cash slips, statement of account and so forth.

Q. You would make your book entries and return them to her? You did not keep them in the office?

A. No.

Q. Did Mr. Erickson concern himself with that function? Getting the information from Miss Shirley?

A. Oh, yes. He didn't keep the records.

Q. Did he perform the same function with regard to going down and getting the information?

A. He would go into the records and see how the business looked.

Q. But he didn't do the same thing you did with regard to the detail of keeping track of affairs down there?

A. No. I took care of the details.

Q. You acted as secretary of the bookkeeper of the enterprise?

A. Yes, if you want to call it that.

Q. Where and how would Mr. Erickson be informed as to the progress of the business?

A. The book with these postings every few days for me was kept in my office. Several

times, Erickson would come in and take the book and see how business' looked. If you refer back to some of these letters he mentioned in here how he checked the records and figured sales up or down or whatever the case may be.

Q. When you were in St. Paul, Beth Murray, looked after the books?

A. Yes.

Q. She still looked after the records?

A. That's right.

Q. After that, you did not keep those records?

A. That's right.

Q. I believe you stated that the investment in the way of improvements in this Capitol Cafe business reached a total of some \$6300 or 6900?

A. \$6395.56.

Q. Stating generally, not in detail, for what were those investments made?

A. The original purchase price of \$2300, improvements and new equipment.

Q. And stock, I suppose?

A. Stock and new steam table—by the way, Mr. Erickson bought that himself on a trip to Minneapolis.

Q. To what date was this total investment calculated?

A. When I sold the last—April 1, 1944.

Q. Did you get a statement as to how it stood?

A. From the books kept by Miss Murray.

Q. So you saw what the situation was at the time you sold your interest?

A. That's right.

Q. Where did the money come from to represent the difference between the original purchase price of \$2300 and \$6300?

A. From the same source.

Q. You mean Murphy Insurance Agency?

A. Yes.

Q. Did the business make a profit during the years you were connected with it?

A. Yes.

Q. Was dividends or disbursements made?

A. Yes, they were.

Q. Approximately how much was drawn out of the business by each of you?

A. A total . . .

Q. Yes?

A. I would approximate it at about \$5,000.

Q. And it was distributed to you or Mr. Erickson?

A. That's right.

Q. Who made those distributions?

A. They were made in the form of checks signed by Agnes Shirley and made payable to Mr. Erickson and myself. Separate checks.

Q. Who calculated what the distribution was to be?

A. That was after a conference between Mr. Erickson and myself.

Q. After looking into the state of business at the end of a certain time?

A. Yes.

Q. Was that done at the end of the year?

A. The first year we were paid so much money every month.

Q. You drew so much? Was it a fixed amount?

A. All depending upon the amount of the profits.

Q. You said a certain amount. I was wondering whether you had a drawing account for some particular figure.

A. I would say offhand without having the records here that to begin with we were getting each of us \$50.00 a month. And then when the legislature met, we received more because there was more money.

Q. Did you determine what the profits were monthly?

A. Oh, yes. You could tell that by the bank account.

Q. Did you invest any of the profits back in the business?

A. It was all kept in the same checking account so you could say yes and no to that question.

Q. Well, if you drew out all the profits, you would have to get the money from some place else for improvements.

A. That's right.

Q. How much money all together would you say you and Mr. Erickson got from the Murphy Insurance Agency for investment in this business?

A. - The sum of \$6,395.65.

Q. So you want the committee to understand that the original purchase price plus cost of all improvements came from that source and not from profits?

A. That's right.

Q. Now why do you make it that particular figure?

A. I have a statement here on the financial condition of the place as of January 1, 1944, and which is marked an exhibit in here now. In that statement shows the investment accounts as being \$4,911.55. In the 1943 Income Tax report, a depreciation of \$94.60 was charged. In 1942 Income Tax, depreciation of \$491.15 was charged. And in the 1941 Income Tax Report, a depreciation of \$498.26 was charged off, making a total of those four figures of \$6395.56. That is how I arrived at that figure.

Q. Looking at it from this way, do you wish the Committee to understand that neither you or Mr. Erickson put any of your own capitol in this investment?

A. That is correct.

Q. So that the total amount as shown by the books was provided from outside source and that source was the Murphy Insurance Agency and its representatives?

A. That is correct, and if you will refer to the exhibit which you mentioned on January 1, 1944, you will find that all the profits were paid out to Mr. Erickson and myself, leaving the net investment account of \$4,911.55.

Q. Now, with regard to the time and manner in which this additional \$4,000, which is the approximate amount above the \$2,300, can you give us anything more definite like as to when and where and who gave you that money?

A. The bulk of that money was received during the latter months of 1940 and the early months in 1941, when the program of improving the building on the inside was completed.

THATCHER: Q. Mr. Chairman.

PAGE: Thatcher.

THATCHER: Q. Did I understand you to read \$6,000, some? What was that?

SHAFER: That represents the total investment in the business, from the time it was purchased.

THATCHER: I thought one thousand. Back he said he couldn't remember the amount of his payments.

VOLD: I think I can answer that. My statement was that I couldn't give the dates and the amounts on each date that these investments were made upon the original investment of \$1,000, but in the aggregate the total investment including the first investment of \$1,000 totalled \$6,395.63.

THATCHER: How did you arrive at that?

VOLD: The statement shows an investment in the investment account of \$4,911.55 and the Income Tax Reports which are in evidence were made for 1943, 1944, 1941. The difference between the four thousand and the six thousand were charged off as depreciation on the fixtures. And the two of them together would make the total investment.

SHAFER: Mr. Vold, will you finish that question as to when, where and how?

VOLD: A. That was cash.

Q. Do you want the Committee to understand that all the money was paid to you in the form of cash.

A. No, I said that the cash was given to Agnes Shirley though it is possible that we might have received checks from Mr. Murphy to either Erickson or I.

Q. You mean to say that Miss Shirley did the depositing and she got it in the form of cash? Who from? You, Mr. Erickson, or both?

A. Either.

Q. But you and Mr. Erickson might have got some of it in the form of checks.

A. (Nodding) Which were then cashed and the cash given to her.

Q. That is what I am interested in. I am trying to develop the information in this matter as to how the money was paid by Murphy or the people in his agency to you or Erickson. You recall you told us the first thousand dollars was given to you in currency by Murphy? According to your statement, some \$5300 more was paid.

A. I think my original testimony was that I recall going over to the bank with the thousand dollars with Agnes Shirley and establishing this account. That had nothing to do with Mr. Murphy.

Q. My question dealt directly with that. I asked you where you got the thousand dollars.

A. I said from Murphy Agency. I will state that now if I did not.

Q. I am interested in how the money came

to your possession in the first place and from whom. The thousand dollars.

A. My answer to that now is just the same as it was before: That if I had the records to show where some reinsurance was placed about that time, then I could tell where that thousand dollars came from. But generally speaking, I know that it came from the Murphy Insurance Agency or its agents.

Q. Granting that, can you tell us whether it came to you in the form of currency or in the form of checks or some other remittance?

A. As to the thousand dollars, I can state it came in the form of currency.

Q. That came from Mr. Murphy, did it? Himself?

A. Well, or else someone representing him.

Q. By somebody, you mean the other folks in the office?

A. Yes.

Q. You don't mean somebody out in the street?

A. Oh, no.

Q. Can you give us in any more detail the form in which the Murphy Agency gave you the additional money? Other than the fact that you have already told us that sometimes you got checks which were cashed and the cash delivered to Miss Shirley for deposit?

A. That's right. Nothing more definite without the records of the Cafe and the Department.

Q. Did those records of the Cafe show that there was \$5,000 in cash or check for \$5,000?

A. No, the records would show as on a certain day, the Cafe say got \$300. And then over in the department, there was a reinsurance given to the Murphy Insurance on about that day and a check given to the Murphy Insurance Agency and then the Commission paid back \$300 over here that went into the Cafe account. In other words, by putting the two records . . .

Q. (Interrupting) That would show that Mr. Murphy obtained enough business at a particular time to enable him to pay back some of the commission to you, but does that show how you got the money: In cash, personal check, on his company, or how?

A. There would be nothing in the Cafe record to indicate what form the money came from the Murphy Insurance Agency.

Q. Would there be records any place else?

A. There would be in the Murphy Insurance Agency.

Q. There might be in the Insurance Agency all right, but I am talking about records of yours here. The Department records would not show whether the money was given in cash or an Agency Check?

A. No.

Q. Nor all your Cafe records would not show it?

A. No.

Q. I want you to give the Commission your best recollection as to how and in what form these payments were made to you or to Mr. Erickson, if they were made to him. And in that connection, you have already said sometimes you got checks. Did you generally get checks?

A. Well, without the records of the Department and the Cafe, and further assisted by the Agency records, it is pretty hard to remember all those items.

Q. I am just trying to test your memory. For instance, was it Murphy's practice according to your contention to generally give you the money in currency or checks?

A. I would say in most cases it was currency.

Q. You are quite sure, however, that at times the payments were made in the form of checks?

A. No answer.

Q. You know that there were checks?

A. No answer.

Q. To whom were they issued.

A. It could be myself if I received them or it could be Erickson if he received them.

Q. In all instances, the checks were cashed and the currency given to Miss Shirley for deposit?

A. (Nodding).

Q. Why was that?

A. Of course there was no desire on the part of Mr. Erickson and myself to give any checks or anything to Agnes—I mean, Miss Shirley, that would inform her as to the source of the money.

Q. As far as she was concerned, you wanted her to have the impression that it belonged to you or Mr. Erickson?

A. That's right.

Q. Do you have any idea as to when you received the last contribution from the Murphy Agency for use in this Cafe business?

A. I would say that it was sometime after the improvement program, and was finished as shown by the bills from the Kline Lumber Company, which is in exhibit here.

Q. Would that be in 1940?

A. 1940, and the early part of 1941. There could be some advanced to the Cafe after that, but if there were, it would be a small amount. Referring to the 1943 Income Tax Report of the Cafe which is in exhibit here, you will note that the business was very profitable. Along about that time, there was no need for any advances from the owners to pay any of the expenses and there were no improvements on or about that time except the buying of this new steam table which Mr. Erickson bought on his trip to Minneapolis in 1942 and which cost something over \$100.

Q. Did you and Mr. Erickson or either of you have any understanding with Mr. Murphy as to how much contribution you wished to provide?

A. Of course you understand when these funds were received from Mr. Murphy or others representing that agency, it wouldn't be received for any specific purpose.

Q. Wouldn't he know for what purpose you were using that money?

A. Not necessarily.

Q. As a matter of fact, would he know?

A. Oh, yes. They knew that.

Q. Clarify that. You say he did not necessarily.

A. What I mean to say—necessarily, I mean the specific small amounts we might use to finance certain things over there. But the big project of buying the whole place . . .

Q. (Interrupting) It was taken up with him and discussed?

A. Yes. And like the improvement program where new ceilings and walls were put in. It would be discussed over with him because that is where we were getting the money.

Q. Suppose Mr. Erickson should state to the Committee that he was associated with you in this Cafe business, but that he financed his share of it from his own funds, and he received no funds from the Murphy Agency for that purpose. What information would you have in mind that you could present to the

Committee that your version of the matter is correct.

A. After seeing the records of the Cafe and the records in the office, I am sure that between the two records there would be something there to indicate where certain moneys were received in the Cafe.

Q. I am asking these questions for the purpose of getting down to brass tacks as to connection between one circumstance and another. Would the records in your office show the business that the Murphy Agency received in the form of reinsurance which amounts to large sums and from which the Murphy Agency apparently received large commissions?

A. (Nodding).

Q. Would it show anything beyond that?

A. It could show that the currency received at the Cafe might be at a certain same time that the business was received by the Murphy Insurance Agency.

Q. Do you wish the Committee to understand that this business could be produced anytime the commissions were desired by you and Mr. Erickson? That is to say, if you needed \$500 for the restaurant business or any other business, all you had to do was have the Fire and Tornado Fund turn some reinsurance over to Murphy in an amount sufficient to guarantee him a commission of \$1,000, for instance?

A. The request would not be made of the Agency or any of its representatives unless business was available.

Q. You mean unless reinsurance was to be distributed?

A. That's right. I would say yes.

Q. But if you had it for sale and you had some for sale frequently, and you wanted to place that where you could get some direct financial benefit, you could place it with the Murphy Insurance Agency and then get a contribution back out of its Commission.

A. That's right. Though there are times when advances might be made on business which would be given at a future date.

Q. You mean Murphy Agency or Mr. Murphy would make cash advances.

A. That's right.

**BAGGE:**

I would like to ask a couple questions. Was there a definite tie up between the reinsurance that was placed and the amount that was deposited to the credit of the New Capitol Cafe?

A. Yes, you are right. Take like when business was given to the Murphy Insurance Agency you could not get a donation from them for the whole 25 per cent.

Whereupon meeting was adjourned to Monday, Jan. 22, 1945, at 10:00 P. M.  
January 22, 1945. 10:00 A. M.

Interim legislative Committee Report Continued.

January 22, 1945. 10:00 A. M.

Meeting reconvened with appearances as follows: Bagge, Bymers, Callahan, Bridston, Kelly, Shafer, Vold and Page.

SHAFFER:

Q. As I understand you, Mr. Vold, under the first arrangement made for the purchase of the Cafe, the ownership was divided equally between yourself and Mr. Erickson. Later, on or about August 2, 1941, you stated that Mr. Erickson paid you a thousand dollars for a partial additional interest in the Cafe, the result of which the interest was reduced to one-third?

A. That's right.

Q. And it was when that payment was made that you entered in the agreement showing your respective interest being two-thirds by Mr. Erickson and one-third by yourself.

A. Yes.

Q. And I believe you stated that you received the thousand dollars in currency from Mr. Erickson?

A. That's right. According to the arrangement that was made at that time.

Q. And that was paid to you here in the Capitol Building.

A. In Erickson's office located in the Capitol.

Q. And the particular currency you received was furnished by Mr. Murphy?

A. That's right.

Q. In your presence?

A. That's right.

Q. Now, later your interest in the Cafe was reduced to thirty per cent.

A. Yes.

Q. How was that taken care of?

A. Well, there was several deals.

Q. Did it involve the payment of money by Erickson to you?

A. No.

Q. Now in April of this year, you sold your remaining interest to Arthur Gehring for \$640.82?

A. That's right.

Q. What was your interest at that time?

A. Thirty per cent.

Q. By the way, why was your final interest at thirty per cent sold for \$640.82 while the lesser interest—the difference between one-half interest and one-third—sold at a thousand dollars?

A. Well, at the time that the final sale was made in April, 1944, it was very apparent that since the time that I was dismissed from the department, a few months prior to that, Erickson and those representing him, I should say Erickson and Mr. Gehring representing him, was out to get thirty per cent if he could, which did not mean that the value particularly was less on April 1, 1944, which was borne out by the fact than Mr. Glock later told me that they had paid \$1500 for thirty per cent. Mr. Glock is the husband of Agnes Shirley, Manager of the place.

Q. Now, at the time Mr. Murphy gave you the thousand dollars currency along about June 5, 1940, I gather from what you said when you described that transaction that that wasn't the first time Murphy had given you or Erickson a share of his commissions received on reinsurance.

A. I think that was the statement—no, I didn't say that thousand dollars was received from Mr. Murphy. I would say the Murphy Insurance Agency.

Q. By that you meant it may have been paid by Mr. Koch? It might have been paid by someone else representing the Murphy Insurance Agency?

A. That's right.

Q. Who else besides Koch and Murphy do you want us to understand might have paid this thousand dollars?

A. It might have been paid by someone representing the Insurance Company. It might have been paid by some other agent.

Q. You don't have in mind what individual it might have been?

A. I can better tell that when I see the reinsurance record as of June 5, 1940.

Q. Well, I understand you to say that the money in any event came from the Murphy Insurance Agents?

A. Yes, sir.

Q. Did the Murphy Insurance Agency have other agents who might have represented it in that matter?

A. Yes.

Q. I am not referring to the thousand dollars that Erickson paid you for an interest in the Cafe. I am referring to the first thousand dollars that was money to buy the Cafe.

A. Yes, I understand that.

Q. Now, what I am interested in finding out is whether that was the first occasion that you or Erickson received money from the Murphy Insurance Agency as a kickback on Insurance Commission.

A. No.

Q. Do you recall when the first transactions took place?

A. I would say the first time was in 1937, though there is no details in my former testimony on that. And the reason for that is this: That there are many of the payments made to Erickson which I haven't gone into to explain, and the reason for that is that I have tried to cover those payments on which there is some other records somewhere so that you wouldn't have to take only my word for it.

Q. What I wanted to get at now is when did the practice of rebating insurance commissions to yourself or Erickson by Murphy or his agency commence?

A. In 1937.

Q. That was the first year of Mr. Erickson's administration as Commissioner?

A. Yes.

Q. Was there a definite understanding or arrangement made for a certain share of kickbacks on insurance commissions made with Murphy? Or did it just grow up in a haphazard way?

A. There wasn't any definite arrangement on it but it was understood that a certain portion of the commissions would go to the agency and only a portion of them be used for refund or kickbacks or whatever you want to call it.

Q. What proportion of kickbacks did you or Erickson receive if there was any proportion agreed on.

A. No, I can't say that there was any agreement that I was to get a proportion of it.

Q. Erickson?

A. Well, I would say 50-50 would come pretty close to it, though I have got some slips here

that show a certain percentage but they have not been introduced here as evidence. I would say two-thirds and one-third.

Q. Which way?

A. In favor of the kickbacks.

Q. You mean the kickbacks here to represent two-thirds of the commissions?

A. Approximately.

Q. Was that an understanding or did it just become a practice?

A. I would say both.

Q. Well, was there an understanding in the beginning when it was first done or did it become an understanding?

A. It became a practice.

Q. Now, could you give us some idea of the amount of kickbacks to be paid by the Murphy Insurance Agency or someone representing them between 1937 and June 5, 1940, when the Cafe deal was made?

A. Without a record, it would be pretty hard to estimate.

Q. Could you give us what you would consider a fair estimate?

A. You put the ending as of June 5, 1940?

Q. I mean for that period. I mean taking it up to the time you got the thousand dollars to buy the Cafe with.

A. That is excluding the Western?

Q. I am talking about Murphy—from the Murphy business. The Western has to do with something else, I understand.

A. Before I answer that question, I would like to inquire at the time that he became Commissioner on January 1—the time Oscar Erickson became commissioner on January 1, 1937, there had been some obligations incurred in the 1936 campaigns which had been partially owed by the Murphy Insurance Agency for the benefit of Mr. Erickson and somebody paid to Mr. Erickson. When he became Commissioner January 1, 1937, of course then the re-insurance business was given to absorb those charges. Should they be included in this?

Q. Make your statement and exclude what the candidates expenses were.

A. I don't think—

Q. Well, you can include them and explain what the campaign expenses were.

A. I don't think I have been informed as to the exact amount. It would be easier to in-

clude it. To the best of my judgment at the present time, and without the record of the reinsurance from the office, I would place for the years 1937, 1938, 1939 and 1940 somewhat around 18 or 20 thousand dollars.

Q. What would include the campaign charges that were advanced. What in your judgment would be that amount?

A. No answer.

SHAFER: Q. Does the estimate that you have just given include the money advanced for the purchase of the Capitol Cafe?

A. No, sir.

Q. Includes the first thousand dollars?

A. That's right. It might include some. It was during the fall of 1940.

Q. To whom was this money paid? I am referring to the 18 or 20 thousand dollar amounts that you have just mentioned. By that I mean was the money paid to Erickson or to you or both of you?

A. I would say to both of us, because take items like the Cafe, the major portion of which was paid to Erickson. It was paid for his benefit at the Cafe but probably wasn't handled by him.

Q. Was handled by you?

A. That's right.

Q. You did the paying on behalf of the Murphy Agency?

A. Well, the largest portion of that was paid by Mr. Murphy.

Q. And in what form?

A. Mainly in cash.

Q. Was it ever paid in any other way?

A. It could have been.

Q. Your recollection is most of it was paid in cash?

A. Yes.

Q. In what amounts each time?

A. You are talking about the Cafe?

Q. No, I am talking about the reinsurance kickbacks between January, 1937 and 1940. Talking about the whole amount.

A. There was no particular amounts. I would say that the one figure of \$1,000 was a large amount.

Q. Well, would it be small amounts—25 or 50 dollars or anything like that?

A. Oh, no.

Q. Do you know what the amounts were as a rule?

A. Over two or three hundred dollars.

Q. Most of it in currency?

A. Yes.

Q. And under what circumstances were these payments made as a rule?

A. Well, my answer to that—if I had the record of the Cafe and the reinsurance record of the office I could better answer that question.

Q. Would those records help you any with regards to whether Murphy paid you in a hotel room, on the street, or down in his office?

A. Not as far as the place where he made payment.

Q. What places did you make the payment as far as your knowledge goes?

A. Oh, some payments were made at the office.

Q. You mean the insurance office?

A. Both his office and the insurance office and very few payments were made at the insurance office.

Q. Very few?

A. Yes. Payments could have been made in the car driving to and from downtown.

Q. Was that done sometimes, do you know?

A. Oh, yes. That was done.

Q. Were payments made to you that way? Were payments made to Erickson that way.

A. It could be.

Q. I mean to your knowledge?

A. Well, like I say, it is awfully hard to recollect those specific times.

Q. I am not thinking about particular times. This method of paying cash either to Mr. Murphy or on his behalf by Murphy, it would seem to have followed some particular time. Would it be down in any particular way?

A. It wasn't any particular time. It was generally done the most convenient way. If I pick out a certain payment—

Q. (Interrupting) In how many different ways and places would Murphy pay this money to you and Erickson or either of them? According to your best recollection?

A. Four or five different ways.

Q. State what that would be.

A. Like I have already said, there was no particular time created as to the method of these payments. They were made for the benefit of Mr. Erickson to me, and I would again pay the money to him if it was paid for his benefit. If it was paid for the Cafe benefit, I might give it to the Manager of the Cafe for the purpose of including it.

Q. I am interested just now—

A. If I am going to be called to state just what money was paid at what particular date and what particular method, I am sorry but I have to say that I can't do that because it would be a guess proposition if I did, and I don't want to do that.

Q. I am not asking you to do that. What I am asking you for—at what places and in general the type of circumstances under which he would pay you or Erickson cash.

A. The type of circumstances certainly would be that it would be paid when I was alone with him or Mr. Erickson and him and I. I certainly wouldn't pay it going down the hall. I wouldn't let him pay it to me with several people around.

Q. In other words, the payments were all made in a confidential way. That is, they were all paid by Mr. Murphy either to you personally alone or to Erickson personally alone or to both of you together.

A. That's right. By Mr. Erickson or Mr. Murphy or someone else.

Q. Whoever did the paying?

A. That's right.

Q. In regard to places: What is your best recollection to that?

A. I think my testimony has already said it might be in the offices in the Capitol, in his offices downtown; it might be in his car, in my car, or we might have met downtown somewhere to eat. I might have had lunch with whoever made the payment, or it might have been paid to me for redelivery, or it might have been with Mr. Erickson or someone who had lunch with us. There are so many different way it could have been paid.

Q. Was any of it paid elsewhere than in Bismarck?

A. It could have been.

Q. I realize it could have been. According to your best recollection, were the payments made elsewhere than in Bismarck?

A. Yes.

Q. Where, would you say?

A. I can't answer that for the present time. If I had the record here so that I have something to go by, I could do a better job.

Q. Would the records indicate where somebody might have given you cash?

A. No. If I had the records, it might remind me of it.

Q. Do I understand you to mean certain times cash payments were made by someone else of the Murphy Insurance Agency business?

A. It could have been, yes.

Q. Will you name persons who you are very sure would make some payments?

A. William Koch, Mrs. Frances Koch and Henry Murphy. Of course, there could have been others.

Q. You are not naming anybody else by name?

A. Not right now. I might state this: That when I get into the record, then I will be more than glad to name them.

Q. You think the names will be in the record?

A. In connection with the record, yes.

Q. You think the names would be there?

A. Yes. It isn't my idea to keep the information from the Committee.

Q. When either Mr. Koch or his wife, Frances Koch, made payments of this character, where would you say those payments were made?

A. I would say the payments that Mrs. Frances Koch made were made at their office downtown.

Q. And would some of those payments be made in currency too?

A. Oh, yes. I would say that the payments made by William Koch were made pretty much in the same fashion as those made by Mr. Murphy. That is, it might be any place around town.

Q. It might be in the offices at the Capitol or it might be in the car or at a cafe?

A. That's right.

Q. Now with regard to the portions, if you have an estimate on that of the total—I am talking about this eighteen or twenty thousand dollar kickback payments. What proportion of those were paid by Murphy and what proportion by the Kochs? What I am getting

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at is whether they were mostly paid by one party or the other.

A. That would be wholly a guess on my part.

Q. If you have to guess for the record, we will take it.

A. I would rather not guess on that.

Q. Now referring to the \$5,000 commission that was originally placed to the credit of Mr. Murphy's personal account on the books of the St. Paul Insurance Companies and which were later turned over to Mr. Koch in the manner you previously described, I understood you to say that part of that \$5,000 was ultimately paid to Mr. Erickson or for his benefit.

A. That was the purpose of the business given in the first place.

Q. I understand that, but I am talking about how it was carried out. Murphy in the meantime died and Koch could have kept that for himself.

A. My information is that it went to Mr. Erickson.

Q. Will you state in more detail what your information and recollection is as to that particular disposition?

A. In conversation with Mr. and Mrs. Koch and Mr. Erickson.

Q. You mean from what the Kochs told you and Erickson told you in miscellaneous conversations, you gather the conclusion that the entire \$5,000 was paid to Erickson or for his benefit.

A. That's right.

Q. Now I believe that you said that on account of some delay in getting this money released from the St. Paul Insurance Companies, Koch advanced Erickson \$1,500.

A. That is what Mr. Koch told me.

Q. When did he tell you that with respect to the time this money was released?

A. Shortly before.

Q. Did anybody else tell you anything about it or acknowledge it?

A. I think Mrs. Koch would have knowledge of it.

Q. Did Erickson acknowledge it or say he got \$1500 from Koch?

A. Yes.

Q. So that the source of your information is both Koch and Erickson?

A. That's right.

Q. That Koch advanced him \$1500. Was that taken care of when the entire amount of the commission was obtained?

A. When the entire amount of this \$5,000 was obtained.

Q. What do you know about the manner in which Koch disposed of this \$5,000 commission to or for the benefit of Erickson other than by the advance of \$1500 that you mentioned?

A. Mr. Koch during September and October, 1941, made several trips to St. Paul regarding the manner of getting this \$5,000 released. At least that was his statement to me. And then he made an arrangement for the cancellation of these policies.

Q. Yes, I understand that, but I am referring to the circumstances surrounding the disposition of the money after Koch got it.

A. I thought you wanted information as to how I knew he procured the release.

Q. I am talking about what you know about how Koch disposed of the money or disbursed it after he got it.

A. My information on that came from Oscar Erickson, William Koch and Frances Koch.

Q. You mean they told you how it was done?

A. That's right.

Q. Do you recall how it was done according to the information they gave you.

A. The best information I have is that the money was paid to Mr. Erickson.

Q. Directly?

A. That's right.

Q. In other words, that the entire \$5,000 was paid to them?

A. That is what Mr. and Mrs. Koch told me and in my conversations with Erickson I received the same information.

Q. Now, do you know whether or not Mr. Erickson was in any particular need of that some of money at that time?

A. He so stated to me that he was.

Q. For what?

A. For the purpose of buying back his farm.

Q. You are referring to the farm in Kidder County located east of Tappen?

A. (Nodding)

Q. That had been lost or foreclosed to the Federal Land Bank?

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A. That's right.

Q. Do you have any information as to whether he did use the money for the purpose?

A. Mr. Erickson told me himself that the money came a little late to be used for that purpose and therefore he had borrowed other money for the purpose of retaining his farm, and he used this other money until this money came through from the St. Paul Fire and Marine and Mercury Insurance Company.

Q. Do you understand from what Mr. Erickson told you that because this money from the Fire Insurance Company was late coming through he made temporary loans from somebody else?

A. He did not make any loans temporarily but he used some other money temporarily.

Q. Anyway, the source from which he obtained the money temporarily was replaced from the \$5,000?

A. That is what Mr. Erickson told me.

Q. Do you know whether Mr. Erickson did in fact repurchase his farm?

A. My information is that he did.

Q. And he now owns it?

A. That's right.

Q. Now you have told us that there was an arrangement made between Mr. Erickson and yourself whereby.

A. (Interrupting) Mr. Erickson told me that he used the proceeds of two carloads of cattle—two shipments of cattle until such a time that this money was released by the insurance company.

Q. His cattle?

A. One shipment was that of H. P. Carlson who was employed by him in the office and he did tell me the name of the second person, but I don't recall that name.

Q. Well, it is your understanding that some way or other, Mr. Erickson secured the use from the funds derived from the cattle sales?

A. That's right, temporarily.

Q. I believe you told us that there was an arrangement made whereby between you and Mr. Erickson, he was to receive an additional \$100 a month as salary.

A. That's right.

Q. Was it understood at that time from what source the money was to come from?

A. Mainly from the sale of reinsurance.

Q. How? You mean from kickback money?

A. That's right.

Q. Not from any other funds belonging to the state funds?

A. I don't think so. There was nothing said about that.

Q. Was there any money used from other funds of the department?

A. You mean appropriated funds?

Q. Appropriated or otherwise. Was he paid a hundred dollars a month from any other source except insurance commissions that originally belonged to someone else?

A. I would say without referring to the records that he procured that money through the sale of reinsurance.

Q. Who handled the matter?

A. That was part of my job.

Q. He didn't do it?

A. That's right.

Q. The money was obtained by you and paid by you to Erickson?

A. That's right.

Q. Did you keep some books or records on that?

A. I might have kept some memos on the months but no permanent records.

Q. Was it intended that it was to be at the rate of \$100 a month?

A. That's right.

Q. And it did work out that way?

A. That's right. And when the payments were made, the records were destroyed.

Q. All of the money came from commissions that some insurance company was entitled to originally and it had been paid back for that purpose?

A. Yes.

Q. State whether the persons who furnished the money knew if the money was being used for this purpose.

A. Not necessarily.

Q. Any instances do you know whether they did or not?

A. I don't remember whether that was told to the fellows I got the money from or not.

Q. In what form or manner was this money paid to Erickson?

A. The same form as any other.

Q. You mean by currency?

A. Currency or check.

Q. Did you open an account in any bank?

A. Oh, no.

Q. If you received a check, it was from the Insurance Agency?

A. Of course that stuff all came through the Murphy Insurance Agency.

Q. All of it came through there?

A. I think that is what my information so far has been.

Q. If checks were used, whose checks were they?

A. Murphy Insurance checks or somebody.

Q. And in the instances that the checks were used, to whom were the checks made payable?

A. Of course if they were used for that purpose, they were made direct to Mr. Erickson.

Q. I see. You speak about records being destroyed at the time the payments were made.

A. That was my records.

Q. Your memorandas.

A. Yes.

Q. Up to what time did that practice continue?

A. Well, he was paid about an extra \$100 a month up to the time that I severed my connection.

Q. That was up to January, 1944?

A. That's right.

Q. Now can you give us some explanation of this angle of that very matter? Why was Erickson receiving a so-called extra salary allowance of \$100 a month payable from commissions received from the Insurance Agency when he was already receiving as I understand it large amounts in the form of kickbacks from insurance commissions?

A. First, I want to correct that one statement on kickbacks. I don't want to be understood as saying there are a number of those agencies.

Q. That particular term you are only applying to the Murphy Insurance Agency?

A. That's right. My reason is that I was told that the \$200 per month was in his opinion not sufficient.

Q. I am saying in relation to the fact that

according to your testimony he was receiving large sums.

A. It is true that there wouldn't be any reason for it. But those were the reasons stated to me and of course I carried out the instructions that I had given to me. Whether there is any good reason for it or not, that wouldn't be for me to decide.

Q. This would only be \$1200 a year. You say he had already received some eighteen or twenty thousand dollars in the course of four years.

A. The main reason for that would be this: That the arrangements for \$100 per month additional salary was made prior to the time that these big payments were made, and of course was never changed, though the paying of these salary accounts in the later years when these big payments were made, otherwise, they weren't. The purpose wasn't as important as it was in the early days when there weren't any large amounts.

Q. I understand that you told us that approximately \$3800 was obtained for Mr. Erickson from reinsurance commissions enabling him to pay for his house located on 7th Street in Bismarck, all of which was handled either through or by you or with your knowledge.

A. Three different years Mr. Erickson came to me and as I remember it, that was a thousand dollars or \$1100 each year plus interest and it was one year that he had some taxes added to the amount. During this year, I procured some money which was replaced later by reinsurance placed with the Murphy Insurance Agency and it was my estimate that the aggregate of the three years and taxes were approximately \$3800. So that it might vary one way or the other.

Q. You say that you obtained money which was later replaced by reinsurance? Do you mean somebody made advances for his benefit?

A. Either it was given at that time or replaced.

Q. Do you remember whether anybody made advances?

A. That has happened.

Q. In connection with his house?

A. I wouldn't say as to that.

Q. Do you remember when Mr. Erickson bought his house—the year?

A. If my memory serves me right, he bought that house in 1939.

Q. I believe you told us he bought it through J. P. Jackson, the local real estate man.

A. That's right.

Q. Did you have anything to do with the purchase of the house?

A. I did not.

Q. Was it already in Mr. Erickson's possession when you got in the picture?

A. That's right. The only way I had to do with that deal was to help in raising some money to make these payments.

Q. Would you know the form in which those purchases were made? Mortgages or what?

A. I couldn't say.

Q. Did you turn the money obtained by you over to Erickson in each instance in the form of cash?

A. That's right.

Q. There is no records, checks or otherwise to bear on that?

A. Not to my recollection.

Q. That extended over a period of three years?

A. It was at three different times that he came to me for the funds.

Q. Did you raise funds each time?

A. To my recollection I did, yes.

BAGGE:

As far as you know, did Mr. Erickson keep any bank accounts in any other city than Bismarck?

VOLD:

He kept some in the Bank of North Dakota.

Q. You don't know of any other?

A. He did carry an account in the Farmer's State Bank in Dickinson but that was for the purpose—he had some kind of a cattle deal. His main account was in the Bank of North Dakota.

BYMERS:

Q. Mr. Vold, Mr. Erickson took office in 1937. You were selected as the manager of the Fire and Tornado Fund, were you? To supervise that department or in what manner?

A. I was appointed in the capacity of accounting manager.

Q. Now in that fund, you have the supervision of the insurance of public property?

A. That's right.

Q. Now in that insurance, there is a large liability, I understand.

A. Around \$60,000,000.

Q. Then you would at times to protect that fund go to insurance companies and buy reinsurance?

A. That's right.

Q. Now when you went to these insurance companies, how was that handled?

A. We would write the policies—the fund would write the policies. Then we would go to the agency representing the Insurance Company and place reinsurance with them. I will give you as an example—we will say that the company insured with you the State Capitol Building on which they carried something over \$2,000,000 insurance. The law placed a maximum that we could carry on this building over \$400,000, but we would give our policy for the entire \$2,000,000, or something in excess of that figure, and then we would go to insurance agents and get policies from them for their share of the reinsurance.

Q. In regard to these insurance agencies, you would say: Here is an insurance policy and what kind of a deal can we make with you? What I am trying to get at—apparently there was some insurance coming to some insurance agency and that there was a commission on this business. How did that first begin—these kickbacks—to go back to the department?

A. Like I told you, in 1937 the first arrangements that were made for this reinsurance was paid to the agency and that of course includes the commission and then a portion or all of the commission would be paid back.

Q. How did they start that? Was that a practice that was general? Premiums were paid by the fund?

A. That's right.

Q. And then the commission—there is a commission on that premium that is to the agency that believes they are selling this insurance?

A. That's right.

Q. Now was there a portion of that commission that did not go back to the fund?

A. No.

Q. Who did that portion of that commission go to?

A. That depends upon what you are talking about now, what commission. I would say that the largest portion of it went back to Erickson.

Q. In placing this insurance with these vari-

ous companies, whose duty was that? Was that yours as manager of this fund?

A. That responsibility was jointly between Mr. Erickson and myself. We would have conferences on what agency this business and that business was to go to.

Q. Between Mr. Erickson and you as manager of the fund? You would agree whom you would think you would have the best deal with?

A. No. There aren't very many agencies that you have deals with. Now back there in 1939, there wasn't any business to be given to the Bridston Agency in Grand Forks because he hadn't been very good in the election in 1938.

Q. How had he been in the kickbacks?

A. Nothing to do with the kickbacks. I would like to correct that. You said certain agency. If you make that certain agents I would say yes.

Q. Were there any kickbacks that you know of from W. A. Hart or his agency?

A. I would rather not answer that question right now if I can get away from it. It will be answered later.

BRIDSTON: Q. I am thinking of cash kickbacks outside of political contributions.

A. I would like to answer that question later on. I want to answer it.

PAGE: Q. The Ernst and Ernst Auditing Company report shows that the various insurance agents in Bismarck made loans to O. R. Vold. Were those loans made for your personal account or for your account as commissioner?

A. If there is any loans shown as having been made to O. R. Vold that is made by myself personally and as I have stated under oath here that any information that you desire in that regard you are welcome to know and not only my own say-so, but you can have any records that you want. I have nothing to cover up.

Q. Were those loans unpaid?

A. Yes, sir.

BRIDSTON: Q. I suppose at the time you discussed the matter of kickbacks to other agencies, you included any other agency or agents that there was some special arrangement with?

A. I will.

CALLAHAN: Q. Mr. Vold, did they have deals with any automobile concerns here in Bismarck? That is, trading in used cars?

A. No.

- PAGE: If there are no other questions from the members of the committee, Mr. Shafer would probably proceed.
- SHAFER: Q. Mr. Vold, I would like to go into the matter of reinsurance of the Western Casualty Company concerning which you have given us a lot of information pertaining to the volume of reinsurance given over the years and the volume of premiums paid and the amount of commissions paid to the Kansas City Insurance Agency, and the interest which one Mr. Peet and Mr. Erickson and yourself had with respect to the participation in those Insurance Commission benefits. When did the insurance department commence reinsurance operations with the Western Fire Insurance Company?
- A. Sometime about the middle part of 1937.
- Q. About August, 1937?
- A. Yes. Shortly before that. That was with the Western Casualty and Surety.
- Q. Did they handle reinsurance on bonds?
- A. Yes.
- Q. Not on Fire and Tornado?
- A. Yes.
- Q. It began business with the Casualty which was reinsurance on bonds?
- A. That's right.
- Q. It was followed by reinsurance on Fire and Tornado?
- A. That's right.
- Q. Up to what time did that reinsurance business continue?
- A. The Western Casualty through or up to July 1, 1943, and the Fire Company up to August 1, 1942.
- Q. Did you handle the first reinsurance business that was given to either of those concerns?
- A. Yes, I did.
- Q. Did Mr. Erickson participate in the transactions?
- A. Of course all the transactions that were had in the department was talked over and approved by Mr. Erickson and actually consummated by myself.
- Q. In this connection, is the position of manager in the State Fire and Tornado Fund an office created by law, or is it an office of employment.

A. It is an office of employment; it isn't created by law.

Q. Does the law place the authority with respect to the management of that fund in the insurance commissioner?

A. Yes, as director of the two funds.

Q. The Insurance Commissioner is a director of the State Fire and Tornado Fund and the State Bonding Fund?

A. That's right.

Q. And the manager of those funds is an employee of the commissioner?

A. That's right.

Q. As a matter of practice, did you always consult with the commissioner in connection with the reinsurance transactions with any insurance company?

A. Yes.

Q. That includes all this business that you have testified to that was carried on with the Western Companies?

A. That's right.

Q. I believe you told us that the Kansas City Insurance Agents received all of the commissions for that reinsurance given to those western companies in the first instance?

A. But the checks were issued to the two Western Companies and endorsed over to the Kansas City Insurance Company.

Q. I suppose the remittances were for the full amount of the premiums.

A. That's right.

Q. It would include the commissions to any agents involved?

A. That's right.

Q. There were no remittances made direct to the Kansas City Agency or to any of its representatives or agents?

A. That's right.

Q. You say it was endorsed over to the Kansas City Agency? How do you know that?

A. By referring to the original checks when they came back from the office.

Q. This agency had no agents in North Dakota?

A. Yes, they have agents there.

Q. But this business was not written through those agents?

A. No, sir.

Q. No premiums or commissions paid to any North Dakota Agency or agents?

A. That's right.

Q. Would you say the commissions went to the Kansas City Agency? Did you know that at the time you wrote the first reinsurance?

A. Yes.

Q. How?

A. Because the home office asked that we make the checks payable to the Kansas City Insurance Agency and which we refused to do.

Q. Did they ask you to divide the premiums between Western and Kansas City?

A. No. They asked that the entire premiums be paid to the Kansas City.

Q. That is how you learned they were affiliated?

A. That's right.

Q. You let the officials of the Western Companies assume responsibility of paying the commissions?

A. That's right.

Q. And that was always done that way?

A. That's right.

Q. How do you know what connection there was between the Western Companies and the Kansas City Insurance Agency?

A. The two Western Companies, the Western Fire Insurance Company and the Western Casualty has their home offices together at Fort Scott, Kansas, and the executive offices of the two companies are located in Kansas City.

Q. Do you know whether the business of the Kansas City Insurance Agency and the business of the Western was handled by the same people.

A. My information is that the Kansas City Insurance Agency has been handled by the same people who owns the two western companies.

Q. And was at that time?

A. That's right.

Q. Do they have identical officers or different?

A. My information is that they have the same.

Q. The same manager?

A. No answer.

Q. That is, the same people are officers of the Western Company and the Kansas City Agency?

A. I am told that they are owned and operated by the same people.

Q. Did you know this man Dubak?

A. He was president of the Western Fire Insurance Company and also of the Western Casualty.

Q. You became acquainted with him?

A. Yes.

Q. You said you met him at the Excelsior Springs, Missouri?

A. No answer.

Q. This Kansas City Insurance Agency was a corporation, was it not?

A. No answer.

Q. Have you ever seen the stationery of this agency?

A. I have not.

Q. Did you transact business directly with this agency at all, by correspondence or otherwise?

A. No, anything that was sent to us in behalf of the Kansas City Insurance Agency was sent to us by one of the two Western Companies.

Q. In other words, the Kansas City Insurance Agency as a business unit did not undertake to do business directly with the Insurance Department?

A. No.

SHAFER: Q. Would you know who purported to act as manager or director of the Kansas City Insurance Agency?

A. Apparently the same people that manages the Western Companies.

Q. Do you have in mind any particular person?

A. I have in mind Mr. Dubak.

Q. Mr. Dubak, the president of the two companies, appeared to be running this?

A. That's right.

Q. You did not do business with agents who were not connected with the Westerns?

A. That's right.

Q. Tell us, if you can, what this man Peet had to do with the Westerns.

A. The only information as far as I know, that he had with the two western companies, was to collect a commission from this business that was sent down there.

Q. That is the way it turned out?

A. That is my information.

Q. But did he purport to be an officer or business executive of any of those companies?

A. No.

Q. He did not live in Kansas City. He lived in Des Moines?

A. That's right.

Q. He devoted his time to the business of the Farmers Union Life Insurance Company?

A. That's right.

Q. Did he appear to have any business connections with the Kansas City Fire Insurance Company or represent that agency?

A. No.

Q. As I understand it, the way the thing operated was that commissions for reinsurance business given to the Western Companies was paid by the Westerns to the Fire Insurance Agency and then from the Fire Insurance Agency to Peet and the Kansas City.

A. That's right.

Q. Now will you tell us why Peet was getting the commissions on this business?

A. You want my information on that?

Q. Your information.

A. My information on that is that that was a missions were to be paid to L. M. Peet by the Kansas City Insurance Agency, and that L. M. Peet was to use those funds for the purpose of buying stock that would become available from time to time in the Farmer's Union Life Insurance Company of Des Moines. And that eventually he would that way get control of the Farmer's Union Life Insurance Company.

Q. Did you obtain any information that would indicate why the officers of the Western whom you understand owned the Kansas City Fire Insurance Agency, would be interested in letting Peet have this money.

A. My information on that is that was a mutual understanding between Commissioner Erickson and Peet and myself to begin with and in fact he was in on some of those conferences.

Q. Is it your understanding then that the officers of the Westerns, by carrying out the arrangements you just described, were doing it to accomodate Mr. Erickson and yourself?

A. My understanding was that also would be done not as officers of the Western but as members of the Kansas City.

Q. But it was done to help Mr. Peet get control of the Farmer's Union Life Insurance Company?

A. That's right.

Q. Was there any understanding that the officers of the Western were to be partners financially in control?

A. No.

Q. They were not to have any financial interest in the ultimate result?

A. No.

Q. They were interested in getting this large volume of business and were willing to dispose of the remittances to whom and in such manner as would suit Mr. Peet, Mr. Erickson and your ultimate purposes?

A. That's right.

Q. As I understand you, many thousand dollars of remittances on this reinsurance business that went to the Western's would pass into the hands of Mr. Peet?

A. Yes.

Q. Do you understand that he did acquire control of this Farmer's Union Life Insurance Company?

A. Yes, he went from agent to president.

Q. He also got control of it?

A. Yes.

Q. And after that was done, stock was issued and placed in a safety deposit box in Des Moines for the benefit of Mr. Erickson and his associates?

A. That's right.

Q. Do we have any of that stock?

A. No.

Q. Mr. Erickson told you that is what had taken place?

A. No answer.

Q. Are you the beneficiary of that stock?

A. I am not.

Q. Is anybody else besides Erickson and Peet beneficiaries?

A. Not to my knowledge.

Q. Who else, if you know, associated Mr. Peet in the ownership of the Farmer's Union Life Insurance Company?

A. That might be several stockholders.

Q. In other words, there are some other stockholders in the Farmer's Union Life Insurance Company?

A. That's right.

Q. Have you learned from talking to Peet what he had to say about it?

A. It was rather widely distributed.

Q. Small holdings held by a considerable number of individuals?

A. That's right.

Q. It was some of these individuals with small holdings that Mr. Peet planned on buying out?

A. Yes. By a wide distribution it was easier to get control. We had several conversation in the early stages of this about getting control.

Q. How that could be accomplished?

A. That's right.

Q. Now when was that arrangement or understanding entered into with Mr. Peet and Mr. Erickson and yourself with respect to the time you first began giving these Westerns reinsurance business on August, 1937.

A. You mean how did it come about?

Q. Did it come about the time you first started this?

A. Shortly before August in 1937.

Q. Was that when the idea was conceived?

A. That was since the first reinsurance.

Q. Was there any connection between the first reinsurance and this plan you later undertook to carry out?

A. That I couldn't say for this reason: that the plan in which he was later interested in approximately in the fall of 1938 was originally started by Mr. Peet and Mr. Erickson and I was later brought into it.

Q. In other words, it was first discussed between Mr. Peet and Mr. Erickson before you became a party to it?

A. That's right.

Q. Did you learn of it before your trip to Excelsior Springs?

A. Yes.

Q. Do you recall when you first got wind of it?

A. I would say in the fall of 1937.

Q. When did you first get acquainted with Peet?

A. In the fall of 1937.

Q. In whose behalf was he interested?

A. In his own behalf and in getting these commissions was to be for stock in the Farmer's Union Company.

Q. Was he interested in getting this reinsurance business?

A. He was interested in that and for the purpose of getting information to get control of the Farmer's Union Company.

Q. Did he promote this business for the Westerns?

A. Yes, he did.

Q. Did he come out here and do that or does he get into the picture someplace else?

A. He came out here.

Q. You first met him here?

A. Yes.

Q. You were already interested in this whole matter which could only be carried out by giving a large volume of reinsurance business to the Westerns?

A. That's right.

Q. You mean both Western Companies?

A. That's right.

Q. He wasn't interested in any of the other companies?

A. No.

Q. Was Mr. Dubak interested in that too?

A. He was in the background according to what Mr. Peet said.

Q. Peet was the active promoter in connection with that whole deal in the first place?

A. That's right.

Q. Would you say then that the first business of 1937 was given to the Westerns in anticipation of assisting Mr. Peet an Erickson in carrying out this plan you described?

A. Yes.

Q. That is how the Westerns became reinsurance companies for these fellows?

A. That's right.

Q. Prior to that time, if you know, what companies carried out such reinsurance as was carried out in behalf of those fellows?

A. The Western Fire and Tornado Fund. Of course, the insurance was carried out by different fire companies.

Q. Located where?

A. All over. The bulk of these companies are located in the state.

Q. Prior to the arrangement that you have described, the reinsurance was carried out by other large insurance companies located in the eastern part of the United States?

A. Yes. As to the Western business, that was eventually taken over by the Western Casualty that was carried out by the Northern and Dakota Trust of Fargo, which closed its doors and we were looking for reinsurance for the Western Casualty and Surety Company, and it was there that the contact was made with the Western Casualty and Surety Company, and when it was brought to me, of course Mr. Peet was the man that made the contract and I might state this: As I understood it, the deal was to be made down in the state of Georgia. It seems though back in those days, they had some trouble to get a bond for the State Treasurer in the State of Georgia, and that the Western Casualty and Surety Company, after some deliberations, they finally furnished the bond for the State of Georgia and hearing about them, Mr. Peet made the proper contact with the Western Casualty and Surety Company with the State of North Dakota and the State Bonding Fund. This is how we were informed on the proposition. Of course those things took place prior to the time I got in there.

Whereupon recess was called until 3:15 P.M.  
3:15 P. M.

January 22, 1945.

Meeting reconvened. Appearances were as follows: Committeemen Bridston, Page, Callahan, Bymers, Bagge. There also appeared O. R. Vold, Witness; George Kelly, Auditor; and George Shafer, Committee Counsel.

**BRIDSTON:** Previous to 1937, I understood that all reinsurance placed by the Fire and Tornado Fund was placed with local agents who in turn placed it with whatever companies they chose or they represented.

**VOLD:** That is correct.

## Examination by Mr. Shafer

Q. In 1937, the present Fire and Tornado Fund with Mr. Erickson made the first direct deal with an Insurance Company whereby the local agent in North Dakota would benefit from the business insofar as the commission is concerned?

A. Yes.

Q. The arrangement then that you and Mr. Erickson had with the Western office was that you were to be given the full general agent's commission on whatever premiums was placed with the Western Companies?

A. Yes, that is correct, but including Mr. L. M. Peet with us because he was also present there when that arrangement was made.

Q. What North Dakota agent signed most of those policies?

A. The first batch was signed by Ed Cosgriff and afterwards they were done by W. A. Hart of Bismarck.

Q. Mr. Hart and Mr. Cosgriff signed these policies as an accommodation?

A. That is true of all these.

Q. And received no commission for their signature?

A. The reinsurance agreements with the Western Casualty and Surety Company did not call for any countersigning; that is, in the Bonding Fund. That is also true of the Tornado agreements entered into in 1937, 1939 and 1941.

Q. You told the Committee the other day, Mr. Vold, that an arrangement was made pursuant to which Mr. Erickson received the benefit of \$711.33 through L. M. Peet and the Kansas City Insurance Agency in connection with the installment due on Mr. Erickson's contract in connection with repurchase of his farm in Wisconsin. That is correct, is not not?

A. That is correct, though the amount of \$711.33 might differ a little bit.

Q. You mean that the payment may have been just a little more or less?

A. It was just a few dollars less.

Q. As I understand you, that arrangement was one whereby it was understood that Peet would work some premiums on certain reinsurance given to the Western Fire Insurance Company for Mr. Erickson in connection with this.

A. I said commissions on certain premiums, that's right.

Q. How do you know that money was actually paid for Mr. Erickson's benefit?

A. I was told so by Mr. Erickson and by Mr. L. M. Peet who handled the deal for Mr. Erickson in Wisconsin.

Q. As I understand it, the situation was that Mr. Erickson had a contract for the repurchase of a Wisconsin farm with the Northwestern Mutual Life Insurance Company which had title to the farm.

A. That is correct, the Northwestern Mutual Life Insurance Company in Milwaukee.

Q. And that the business on behalf of the Northwest Mutual Life Insurance Company in Milwaukee was handled by Wicklund at Chippewa Falls, Wisconsin, and that the payment was made to Mr. Wicklund.

A. That's right.

Q. Do you know how that was paid?

A. You mean whether it was check or cash? That I couldn't say.

Q. Mr. Erickson had discussed his need for some money before that was carried out?

A. Several times.

Q. He in that connection gave you a statement, which statement represented an exhibit that was offered here?

A. That's right.

Q. And I also understand from your testimony in that regard that in order to provide a source of premium income for that particular purpose, there was a special piece of reinsurance business given to the Western Fire Insurance Company upon which a premium of \$2800 was paid.

A. \$2871.91. That was two dividends.

Q. You mean that was the total premium paid for two different pieces of business?

A. That's right. I might say that you have an exhibit that sets forth that particular piece of business.

Q. Who contacted Peet in order to get his cooperation on that?

A. I know that Mr. Erickson must have contacted him but I also am of the opinion that when I sent the requisitions to the Western for that particular bunch of business, that I simply copied the letter directed to Mr. Peet at Des Moines, which I have always done in other cases where Mr. Peet was interested.

Q. So it would appear that Mr. Peet had

agreed to cooperate on the matter before the extra business was sent to the Western Fire Insurance Company to take care of it?

A. That's right.

Q. Do you know whether Mr. Peet went to Wisconsin or whether he communicated with Mr. Wicklund in respect to that?

A. He got in touch with Mr. Wicklund because I can remember after the additional business that he told us he had been in touch with at Wisconsin, that the commission on the business sent him wasn't sufficient to pay the balance due on the farm.

Q. So that an additional insurance business was necessary?

A. That's right.

Q. So if I understand the situation correctly, Mr. Peet insisted that additional or extra business must be sent into the Western Fire Insurance Company in order to take care of the particular financial need of Mr. Erickson?

A. That is true and very easy to specifically identify the business that was sent down for this purpose.

Q. Now is that the only instance that you know of whereby insurance commissions on reinsurance business was used for Mr. Erickson's benefit in connection with that particular farm deal?

A. That's right.

Q. That is the only one you know of?

A. That's right.

Q. You know where he got the money to pay the other payments on that contract?

A. No.

Q. So far as you know, the only insurance commissions derived from reinsurance business given to the Western Fire Insurance business is this particular amount for use on this Wisconsin farm?

A. That's right.

Q. Did you have any contact with Wicklund?

A. No, I didn't.

Q. Or the other Western Life Insurance Company?

A. No, I did not. The thing was turned over to me for the purpose of producing this business to be sent to the Western Fire and which commission should be sent through the regular channels to take care of the money on the farm.

Q. By producing the business, you mean it was up to you to provide by the office enough reinsurance business to take care of Mr. Erickson's need in that respect?

A. That's right.

Q. I believe you introduced in evidence an exhibit showing you held an insurance license to write insurance?

A. That's right.

Q. That was taken out after you become manager for the State Fire and Tornado fund?

A. That's right.

Q. Is it still in force?

A. No, it isn't.

Q. Are those licenses written for a particular time?

A. Annual license.

Q. How many years did you hold the license?

A. One year.

Q. What year?

A. 1941.

Q. What was the particular reason for that licensing procedure?

A. That reason was this: Back a number of years ago, there was an organization in North Dakota, an organization known as the All-State Taxpayers Association, the main purpose of which was the initiating of certain initiative laws that would effect the school finances in North Dakota. At the time the State Fire and Tornado Fund owned approximately a million and a quarter in registered school mortgages and on the theory that certain initiated law, particularly one of them, was passed and which told us it would help the school districts in the state make payment to the State Fire and Tornado Fund of those registered school warrants. In other words, this law provided for a transfer of half a million dollars from one branch within the state equalization fund into the basis of a set fund within the equalization fund. In other words, it increased the basis of need fund that could be paid to an insolvent school district by the amount of \$500,000. On that theory, the Fire and Tornado Fund financed to a figure of between two and three hundred dollars the printing and certain solicitations by paying for postage and receiving a sufficient signature on the petitions in order to get the initial ballot upon the initiating law upon the ballot at the next state election.

SHAFER:

Q. At what election was that initiated measure submitted?

A. I think that was at the primary election of 1940.

Q. It was a measure to amend the Sales Tax Law?

A. No, it wasn't: The equalization law.

(Continuing) And this organization, when it was organized, I was made secretary and treasurer of it and Mr. Ralph Beede was president of it and then it had several Vice Presidents or directors located in the various judicial districts of the State. I think there are six judicial districts and they had one Vice President in each judicial district. For some time prior to that time, a man by the name of Alvin C. Strutz, the Attorney General, apparently did not have very much love for me and at various times looked for reasons that he would pounce on me for. Right in the middle of this particular procedure, he found out that this money had been paid out of the State Fire and Tornado Fund and this money was paid fully with the knowledge that anyone who had anything to say about expenditures in that department, which was particularly Mr. Erickson and myself. Mr. Strutz made the statement to Ralph Beede that he was going to have me prosecuted for embezzling public funds for paying the funds for purposes that we had no authority to pay it. And when Mr. Ralph Beede got that information he was naturally interested because he was president of that association and came to Mr. Erickson's office and I was told that this procedure was under consideration by the attorney general. And he right there in the office of Mr. Erickson asked Erickson in my presence if he had authorized Mr. Vold as secretary and treasurer to make this particular expenditure to which Mr. Erickson replied: No, he had not. And we left the offices of Mr. Erickson and came over to my office and when I exhibited to Mr. Ralph Beede a voucher from the office of the Fire and Tornado Fund, voucher approved for payment and paid, which were signed approved by Mr. Erickson and myself both and all Mr. Peet did after he saw Mr. Erickson's signature thereon, he just shook his head and then he continued making this statement to Mr. Ralph Beede, and that was this: That the State Fire and Tornado Fund law makes no mention of the office of manager of the department, but that the fund should be operated by the director of the department and that the law itself makes the directors responsible for the operations of the fund and the director is the Commission of Insurance and that I had at no time up to that time and that

I will now say since, have done nothing that has not been called to the attention of Mr. Erickson, particularly I had made no expenditure because no expenditure could be made without his approval and when Ralph Beede got this information I also said for his particular benefit that if there was anyone to be persecuted under that expenditure it certainly could not be me because my office or the duties of myself was not mentioned in the law whatsoever and he agreed with me in that respect he did not tell me, however, that I have every reason to believe that that information was given back to Mr. Strutz because I know there was no persecution mentioned after that day. So, when you get into 1941, that was a so-called better year in this matter of reinsurance and what goes with it: Mr. Cap Murphy or Mr. Henry Murphy and myself, in talking over this item No. 3 where there originally was to be \$30,000 worth of business given to the St. Paul and Mercury, which was later increased to \$34,000 and on which there was to be originally the sum of \$7500 paid back and which was increased to \$8500, Mr. Murphy and I, we were talking particularly about my position and he said if I would have licenses in these companies on which this premium is given and it was on his advice that I had these licenses issued to me because he made this statement: The only thing that you would be doing that would be contrary to law would be having something to do with the issuance of the Fire business without a license. And the license was dated back July 1, 1941, and it was issued for that year only and it was never renewed. Of course I had that plan which was made for the year 1943 come through with I am sure that there would have been renewal license issued but that was never done so it was not necessary to have them issued. That is the only reason why those licenses were issued to me because under the law, I had the proof right through up there and I could still be writing insurance. There is nothing that would stop me from doing that.

SHAFER: Q. Writing any insurance under the license?

VOLD: A. Oh, no. You mean outside of the office?

BRIDSTON: Q. There was no change in your operations except that as a licensed agent, he thought you were more protected than you would be otherwise because you were designating the companies who were to get the business?

A. That's right. In other words, I did not write any business and did not countersign no policies.

SHAFER: Q. In your testimony the other day, you made a remark to the effect that there was corre-

spondence showing that Erickson went down to St. Paul during the time that the matter of securing the release of the premium on the Murphy Insurance business was pending, or something to that effect.

**VOLD:** A. I think there is some correspondence on that.

**SHAFER:** Q. Is that correspondence in evidence? Or were you referring to other correspondence that has not been identified?

A. I might say this: I am sure that if you want to check with the State Auditor's office, you will find that he made trips to the Twin Cities and had approval from the Governor to make it.

Q. I was referring to your remark in the testimony that there was correspondence showing that he was down there at that time. I suppose that related to the correspondence between Erickson and you?

A. I am sure that there was such correspondence.

Q. It isn't offered in evidence but I was wondering whether it was in evidence.

A. If I find I got the correspondence here and it wasn't introduced, I will give you that.

Q. We want to get all relevant correspondence having a bearing on the particular transaction one way or the other. Either letter to him or from him. With respect to the Minot car transactions, about how much in value did you and Erickson receive from insurance commission on reinsurance business given to Mr. Blaisdell?

A. First I will say that there were no trucks involved—just cars.

**BAGGE:** Q. Was there anything in the letter that was used for this other deal without using the name of the other party?

A. That is the point I am making.

**BRIDSTON:** What was Mr. Shafer's last question?

(Question read as follows)

We want to get all relevant correspondence having a bearing on the particular transaction one way or the other. Either letters to him or from him. With respect to the Minot car transactions, about how much in value did you and Erickson receive from Insurance Commissions on reinsurance business given to Mr. Blaisdell?

**VOLD:** A. You mean both him and I? My estimate on that would be somewhere between twelve

and fifteen hundred between the two of us. That is an estimate, however.

SHAFER:

Q. As I understand it, neither you nor Mr. Erickson paid any cash on these cars yourself.

A. The difference between the second-hand car and the new car was paid in this manner of giving reinsurance to Blaisdell, Sr., and he paid the money over to the Blaisdell Motor Company though there might have been some items like license plates and small items like that that might have been paid in cash.

Q. But the consideration for the car was covered by the trade-in values of the old cars plus the commission on the reinsurance business?

A. It was that that I estimated between twelve and fifteen hundred dollars.

Q. That would be the value on the benefit you and Erickson got on how many cars?

A. Four.

Q. That would be two for each of you?

A. Yes.

Q. You know you got two?

A. Yes.

Q. And Erickson?

A. I think he got two. That would be my judgment.

Q. On that basis, each of you men got a car equal to about \$300 for each car from those Insurance Commissions?

A. That would be the average.

SHAFER:

Q. In connection with the Capitol Cafe you described a loan transaction with the State Bank at Sterling in respect to a note given by Mr. Erickson and yourself for the benefit of the Capitol Cafe business.

A. Yes.

Q. That was \$400 if I remember rightly.

A. Yes.

Q. Why was it necessary for the new Capitol Cafe to borrow any money from the Sterling Bank in view of the apparent ease with which Mr. Erickson and you were able to get money from the Murphy Insurance Agency to carry on the business?

A. That is not always true. I have stated before that there was times when there were no reinsurance placed and that then that would be necessary.

Q. There were times when the well was dry

in that direction? One such time was when you made a loan from Mr. Wildfang, the manager of the Sterling Bank?

A. That was either the late part of 1940 or the early part of 1941.

Q. Was that note or the renewal of it ever paid when you were interested in the business?

A. It was all paid.

Q. And by whom?

A. I think the renewal note was all paid and a major portion was paid by the Cafe right out of the Cafe funds.

Q. Was there any money made from any special source to pay the balance?

A. Very little. I would like to answer further what Mr. Page asked this forenoon as follows: He asked whether I had repaid the loans to the agencies that were mentioned in this report. I would like to call the committee's attention to Page 20 of the report and three lines therein which read as follows: "Ernst and Ernst Report. It was noted from the records of all three agencies that Mr. O. R. Vold and the former manager had made temporary loans from time to time." Anything that was temporary must have an ending to it, so undoubtedly the loans had to be paid in order to become temporary in nature.

Q. Going back a minute to the source of the funds from which Mr. Erickson received \$100 a month additional compensation, if I recall rightly, you said the other day that such funds were commissions on reinsurance business and from other sources. What other sources besides commissions from reinsurance did you have in mind some of this money may have come from?

A. There could have been other incomes by reinsurance on fire insurance. For instance, it could have been bond premiums. That wouldn't be considered as fire insurance premiums.

Q. Would you have in mind any other source besides reinsurance?

A. What I particularly had in mind was some other form of reinsurance than fire insurance.  
Q. Do you have anything further in mind that you wish to offer for the information of the committee bearing on the subject of this investigation?

BRIDSTON: I asked a question this morning if you are ready for that.

A. My answer is the same. I beg leave to answer that later.

(Vold hands paper to Page)

PAGE: Mr. Vold, do you wish to offer this in evidence?

VOLD: A. I do.

(Exhibit No. 49 marked for identification)

Will you state for the record what this is?

VOLD: A. This is a slip of paper which apparently was made out while we were sitting at a table somewhere. It is made out by Henry Murphy and gives us the dates and amounts of certain payments made and I think the total there is \$4075. It should be covered by reinsurance. Over to one side, it shows that twenty-three fifty has been paid for taking care of it, leaving a balance at the time this was made out of \$1725. Now you will find amounts of items listed there, three payments of a total of \$800 which was paid in 1936, \$200 on September 18, 1936, and \$100 on October 21, 1936, and \$500 on December 23, 1936. Henry Murphy showed me one when I was in his office that those payments were all made by personal checks given to Oscar E. Erickson. Up to that time, those payments were all made for the purpose of helping him in his campaign in 1936 and before he become commissioner of insurance with the understanding that they were all to be taken care of by reinsurance after he became commissioner of insurance and that slip of paper which is Exhibit No. 49 is the slip for that purpose prepared by Mr. Murphy for me. Then the items of \$200 on March 19, 1937, \$400 on November 4, 1937, and an item of \$1,000 on January 20, 1938, and February 17, 1938, according to another memo I have here in my own handwriting. There are three other items of \$200, \$400 and \$1,000 made to Mr. Erickson on the dates given.

SHAFER: Q. What were they for?

VOLD: A. There is another item in the center of it called bonds for \$500.

Q. In the center of Exhibit No. 49?

A. That's right. And Henry Murphy explained this about this way: That when they were building the new capitol, a builder's risk insurance and the bonds—contractor's bonds—for the various contractor's on this building, the premiums were to be paid to certain agents and then by that agent in his particular town should be distributed among the other agents in that particular town. It seems as though up at Grand Forks the money had been paid to the Pioneer Insurance Agency which was oper-

ated by two men by the name of Benson and Edwards. At the present time, Mr. Edwards is the Adjutant General of the state and Benson is his assistant, a member of his staff, whatever they call it. And it was told to me this way: That it wasn't the desire of the powers to be, in force at the time this was made, that they were to throw any hat towards Edwards and therefore Erickson had said they would assume that \$500 item and given the Murphy Insurance Agency reinsurance enough so that the commission would be sufficient to take care of the \$500 item up there and then the Murphy Insurance would take care of the people up there in Grand Forks, whoever had that money coming. In fact, I think that payment had already been made. Of course, all of these items totalling something over \$4,000 were to be repaid by reinsurance commissions.

Q. All of these payments were in the matters of advances in the first place by Murphy?

A. That's right.

Q. And they were payments made to Erickson?

A. That's right. All except this one item of \$500 of bonds.

Q. And those payments were later taken care of by reinsurance?

A. That's right.

Q. Now, according to the memo which Exhibit No. 49 identifies, the reinsurance premiums or commissions amount to \$2350, leaving \$1725. Was that balance afterwards absorbed by commissions obtained on further reinsurance?

A. That would be my opinion, yes. I have a further memo amongst my papers here indicating that the item of \$500 and \$350 and \$600 were taken care of by giving business to the agency of Frances Koch which is a part of the Murphy Insurance Agency.

SHAFER: Q. Do you remember the occasion on which Mr. Murphy wrote this memo presented by Exhibit No. 49?

A. Judging from the appearance of the menu on the back of it, I would say that it was—that we had possibly some meal at what is known as the Tip Top Inn in the Patterson Annex in 1938, and that is where we made those memos, and the reason I placed that date on it is because that is the date that is mentioned on the back. The writing that is on there is that of Henry Murphy.

Q. This menu presented by Exhibit No. 49, that is the figures that you have discussed on the reverse side of what purports to be a menu

of the Tiptop Inn as of Tuesday, May 31, 1938. Written across the face of the menu in pencil are various figures. Do they have any significance or relation to what we are considering?

A. They have.

Q. What do they mean, if you know?

A. The writing on the back side of this menu is the law as to the six classifications which the department divides its classifications of buildings. The first two, AX, Protected and Unprotected. And opposite that are the limitations which the law indicates that we must use. And next to that is the limitations which were in use at the time this was written. And I might say this is my handwriting, the next two is the BX, Protected and Unprotected, which the law provides we must carry, \$50,000 and \$25,000. This would indicate that we are carrying a \$40,000 and \$17,500, and the next two items, DX, or frame construction, Protected and Unprotected, which the law at that time placed on a maximum of \$25,000 and \$15,000, and we carried \$15,000 and \$9,000. Due to the fact that this is all on the same piece of paper, it would indicate that I was talking over with him the possibility of reducing the amount to be carried in the department and though I don't remember it as such being that this is all on the same piece of paper, it probably would be for the purpose of taking care of this difference, because the minimums that I have mentioned here are the very minimums that I have carried in the department.

Q. The figures in writing that you have just interpreted are located on the face of the menu rather than on the back?

A. That's right.

Q. You stated a minute ago that you were talking about matters on the back of the menu.

A. What I meant was that which was written on the back of that portion of the menu on which Mr. Murphy had given as various items that should be taken care of.

**BRIDSTON:** This reduction of free insurance and increase of reinsurance which is exactly what it means took place previous to the conversation with Murphy?

A. I wouldn't say that was done.

Q. Would this conference have any connection with that change of policy in your department?

A. It would.

Q. So at the time you and Murphy went into

this thing, that was the time of the change of policy to increase reinsurance partly for the purpose of paying back this indemnity that he had advanced to Oscar Erickson?

A. Partially. What I mean by partially is this: There were three reductions made and this is one of them.

Q. Did you have any trouble in getting Mr. Erickson's consent to decrease free insurance and increase reinsurance?

A. When any of those reductions were made, it was with the full approval with Mr. Erickson, and after conferring with Mr. Erickson on the matter. And I would further state that after conferring with him several times on the matter. So it wasn't a matter that would be arranged by Mr. Murphy and myself. I did fully understand Mr. Murphy and I may have talked the matter over between ourselves. I might state that my entire memory as I have stated here now comes from that particular piece of paper known as Exhibit No.—whatever it is—49, but I have no definite recollection of that conference. If that was carried out and the reduction of the amount carried by the fund, it would naturally create considerable reinsurance. And apparently that is where the Murphy Insurance through Mr. Murphy got into the picture and is the reason why it was handled in that manner.

Q. Would you say, Otto, that the arrangement with the Murphy Insurance Agency before Henry Murphy's death was definitely a kickback arrangement on practically all the business they got?

A. Generally speaking, that is correct, though there might have been some pieces of business they would get that there was no particular kickback on, and then there might be slips given to them that all the commission would be paid back, but on the average, what percentage it was, I couldn't exactly say.

BRIDSTON: Q. After Henry Murphy died and the agency was taken over by Mr. and Mrs. Koch, did the same condition prevail?

A. That made no particular difference as far as the agency was concerned, because Mr. and Mrs. Koch knew very well when everything was countersigned between Murphy and us. In fact, they would at times, partake in what was going on. (Continuing) I have a letter which Mr. Murphy wrote to me from Fort Lauderdale, Florida.

(Hands paper to Page)

PAGE: Do you wish to offer this in evidence, Mr. Vold?  
VOLD I do.

(Exhibit No. 50 marked for identification)

PAGE: Q. I show you Exhibit No. 50, and ask you to state what that is, Mr. Vold.

A. Exhibit No. 50 is the original letter which was written on Washington's Birthday in 1940 by Mr. Murphy and is signed "Cap," wrote me from Fort Lauderdale, Florida, and attached to it is my copy of my letter to him, dated March 14, 1940, and I want to quote one paragraph here to show that Frances Koch, who he refers to here as Frances, knows about the state business because he writes the following paragraph: Frances tell me no state business yet, but I know you will get it to her as fast as you can, so maybe they put on an extra spurt." And my reply on March 14, 1940, is self explanatory.

BRIDSTON: Q. I notice that according to one of the exhibits No. 41, that the Murphy Insurance Agency received from 1937 to and including 1942, \$193,656.91 in reinsurance premiums. What would you estimate the kickback commissions for that amount of premium?

A. Presuming that the figure I gave Mr. Shafer this morning between eighteen and twenty thousand dollars, starting with 1937 and through 1940, and adding to that the \$8500 which we have described in detail for 1941, and adding that to the eighteen or twenty thousand dollars, you would have a total of from \$26,500 to \$28,500 for all years starting with 1937 and including 1941, in part making a conservative estimate of \$2500 on the balance in 1942 and 1943, you would have it pretty close. I know nothing about 1944.

BRIDSTON: Q. In other words, beginning with 1937, to and including 1943, your estimate of the commissions that were kickbacks is approximately \$30,000 from this one agency?

VOLD: A. That is as close as you could get it, but I would like to call the committee's attention to the difference in the total between the Murphy Insurance Agency and the other two agencies here.

Q. You bring up the other two agencies and I notice that according to this tabulation on Exhibit No. 41, that the Bismarck Insurance Agency, which I understand is owned by W. A. Hart, received \$56,424.47. What was the arrangement with this agency as far as commissions were concerned.

A. I think my answer to that this morning was that I begged off from answering that question until sometime later and I would like to do so at this time.

- BAGGE:** Q. Do you want to give the same answer in regard to Byrne Insurance?  
 A. No, I will answer that.  
 Q. What was the arrangement with Byrne?  
 A. No arrangement whatsoever.  
 Q. Were there any political contributions that you know anything about from this agency?  
 A. Yes, that could happen.  
 Q. Have you any idea what that would be about?  
 A. I have knowledge from memory and I have records on it that I can refer to that at the election time Mr. Byrne would donate to the election campaign for Mr. Erickson, but never more than \$100.

Whereupon meeting was adjourned until Tuesday, 10:00 a. m.

January 23, 1945. 10:00 A. M.

Meeting reconvened with appearances as follows: Bridston, Callahan, Bagge, Bymers, Page, Kelly, Shafer.

- MR. GRAY:** Will you put it in the record that these Tax Records will be exclusively for the use of the committee and to be returned to the Tax Department.

Records examined by Committee. Adjourned until 3:30 p. m.

3:30 P. M., January 23, 1945.

Meeting reconvened with appearances as follows: Johnson, Bridston, Callahan, Bymers, Bagge, Page, Kelly and George Shafer, counsel. Also, Oscar E. Erickson with W. J. Austin and O. T. Owen as counsel, and Grace Valdars, Stenographer.

- JOHNSON:** Mr. Erickson, you were called before this committee by letter received approximately this noon?

- ERICKSON:** Yes. I would like to have the record show I brought my attorneys, W. J. Austin and Mr. O. T. Owen, and also a stenographer. I would like to have her sworn in as court reporter.

- JOHNSON:** I don't think that will be granted. Would you like to make a statement in regard to your department?

- ERICKSON:** Mr. Chairman, I don't see how I can make a voluntary statement not knowing what the Committee wants or what the other fellows have testified to. I would be glad to help the Committee in any way, shape or manner that I can help them. But in view of the fact that

- I am not allowed my secretary to be sworn in, and in view of the fact that I haven't any foundation to base any statement on, I don't see how I can make a statement.
- JOHNSON: Would you be willing to be sworn in under oath and answer questions that this committee or the attorney and the firm Ernst and Ernst would ask of you?
- ERICKSON: If my secretary would also be sworn in.
- JOHNSON: What does the Committee say about that?
- PAGE: I don't see any objection to letting his secretary be sworn in.
- SHAFER: She wouldn't be representing the Committee if she was permitted to serve at all. It would be as private secretary for Mr. Erickson. The Committee has the official reporter.
- BAGGE: I move that at the request of Mr. Erickson, we permit his secretary to remain and take such notes as she and Mr. Erickson desire.
- BRIDSTON: I will second that.
- JOHNSON: It has been moved and seconded that Mr. Erickson's stenographer remain. All in favor say aye. Ayes have it.
- ERICKSON: I would ask that the records show that she be asked to take the records here. After all, this is a report that may or may not affect somebody. I feel that I have a constitutional right to have my secretary recognized as one authorized to take the proceedings.
- SHAFER: Of course there are several days of proceedings that are taken.
- JOHNSON: Mr. Erickson, the purpose of this was for your own benefit while you were under oath, and not for any investigation of anybody else.
- ERICKSON: You fellows are doing the investigating.
- SHAFER: If he wishes to have somebody take down a record for him, that is personally all right. I am willing to allow that, and we are then departing from the executive session set-up to that extent.
- THATCHER: I don't see any reason why she should be sworn in in any official capacity and I don't see why we need it. One reporter is all the Committee needs and if she is allowed to take the testimony before this committee, she is not official. She is just reporting Mr. Erickson.
- JOHNSON: This will be granting you a privilege that has not been granted to anybody else. Under that motion, we permit Mr. Erickson to have his secretary take notes while he is being questioned under oath. Attorney Shafer and Mr.

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Kelly will proceed with the questioning of Mr. Erickson.

OSCAR E. ERICKSON, being first duly sworn, testified as follows:

Examination by MR. SHAFER:

Q. Your name is Oscar E. Erickson and you are at present State Insurance Commissioner of North Dakota?

A. Commissioner of Insurance, if you please.

Q. You have held your office since January 1, 1937?

A. Right.

Q. As Commissioner of Insurance, you are in charge of various funds and functions that are placed by law in that department including the offices of the State Fire Insurance Fund and the State Bonding Fund?

A. That's right.

Q. For several years prior to January 1, 1944, Otto Vold was acting as manager of the two funds which I have just referred to?

A. That's right.

Q. Do you remember when he first came into the Department in that capacity?

A. He was in there when I come in.

Q. That is to say, your predecessor employed him in the first instance?

A. That's right.

Q. That was Mr. Haupton, was it?

A. Right.

Q. So that he served under your direction from January 1, 1937, until he retired in January, 1944?

A. Right.

Q. This position of manager of the Fire and Tornado Fund and the State Bonding Fund is an employment rather than an office, is it not?

A. Well, he is put in as manager of the department, yes.

Q. What I mean, is the manager hired by the Insurance Commissioner? Does the law create the office to be filled?

A. I don't quite get what you—

AUSTIN:

Are you attempting to draw a distinction between an employment and an executive office?

OWENS:

I think that position—I don't think he is in a position to say what is an office and what an employment.

SHAFER: I thought he was. If you don't care to answer, that is all right. I thought perhaps you would know.

ERICKSON: Not knowing what the reference has to do with the question, I don't know how I can answer that because my understanding is that when you hire a manager, he is the manager, and I think his oath of office shows that.

SHAFER: Q. Anyway, the law makes the Insurance Commissioner or Commissioner of Insurance the Director of these two funds, does it?

A. Yes, that's right. But I think I also have a letter from Mr. Vold saying that he is the manager, and I just—

Q. Well, I understand that he claims to have been the Manager. There is no dispute about that, but it has been represented here that the manager of those funds was under the direction of the Commissioner of Insurance and that the law designates the Commissioner of Insurance as the Director of the fund.

A. I think that is right.

Q. At least, that is your understanding?

A. Well, if I understand what you are trying to get at, that is probably what—

Q. There has been some testimony offered to the committee, Mr. Erickson, to the effect that yourself and Mr. Vold were jointly interested in the ownership and operating of the Cafe in Bismarck known as the new Capitol Cafe, is that correct?

A. That's right.

Q. Did you and Mr. Vold together purchase that business in June, 1940, from a man by the name of Nick Zappas?

A. Yes.

Q. And in the original arrangements, you and Mr. Vold were owners on the basis of a 50-50 ownership?

A. Yes, that's right.

Q. Later that proportion of ownership was changed somewhat and Mr. Vold's share of interest was diminished to one-third and yours raised to two-thirds?

A. No, I don't think he gave you that just right. I think I got seventy per cent and he got thirty per cent.

Q. Did that come along about August 1 or 2, 1941, in connection with payment of the \$1,000 matter by you to him for exchange or reduction of interest?

A. (Emphatically) No, sir.

Q. Well, to begin with, the ownership was 50-50?

A. That's right.

Q. And later it is your recollection that it was reduced to proportions of seventy per cent to you and thirty per cent to him?

A. Yes.

Q. Was the original purchase price \$2300?

A. I wouldn't be able to remember.

Q. Do you have an estimate in mind as to what the original cost was of the business?

A. No, I am sorry I haven't, because—

Q. Do you have in mind now what your total investment—that is, the total investment of the partnership, became in the business?

A. No, I haven't.

Q. The property purchased originally from the former owner consisted of the business—an operating business, some furniture and fixtures, accounts and so on, but not the building?

A. If there was any accounts in there, I don't know anything about it.

Q. Anyway, it did not involve the ownership of the building?

A. No.

Q. The building belongs to Mr. Lasken, who rented it?

A. That's right.

Q. She was in fact a manager of the business?

A. No answer.

Q. Mr. Vold has given us his version of it and we are now trying to see to what extent your version agrees and to what extent he differed from it.

A. Unless I could see the records, I just can't answer that question.

Q. With respect to that particular matter, Mr. Vold stated in substance that the title to the property of the business was in the form of a Bill of Sale and it ran from Mr. Zappas to Ann Shirley who held the title for the benefit of yourself and Mr. Vold. Do you remember anything about the Bill of Sale?

A. I remember some thing about the Bill of Sale. I don't know just what it was.

Q. Do you remember if it was filed?

A. I don't know.

CALLAHAN: By the way, the lady's name was Agnes.

SHAFER: Yes, Agnes. And she ran the Cafe for you gentlemen as Agnes?

A. That's right.

Q. By the way, you are still in that business?

A. Yes, I am.

Q. And is the same lady manager of it?

A. No, her husband is the manager.

Q. She is married so that she and her husband are there in the business?

A. They are part owners?

Q. Did they acquire Mr. Vold's interest in this business?

A. No, they did not.

Q. What became of his interest?

A. Arthur Gehring bought his interest.

Q. Did you buy any portion of Vold's half interest?

A. No, I did not.

Q. Now what happened to the difference between Mr. Vold's one-half interest which I understand he had originally and his reduced interest to what you say is thirty per cent?

A. You are asking me if I bought that?

Q. If you know what happened to it.

A. I bought that interest.

Q. You bought the difference between the fifty per cent and what you say is the seventy per cent.

A. The time he was having his divorce.

Q. If he says it was a thousand dollars—

A. No, I wouldn't say that much. I am sure it is less than \$500.

Q. Do you recall how you paid him?

A. I paid him in cash.

Q. Cash?

A. Or check. I am not sure.

Q. I am going to show you Committee's Exhibit No. 1, Mr. Erickson, and ask you to examine it.

(Shafer hands paper to Erickson)

ERICKSON: Oh, but he did not give you the last one.

SHAFER: What is it?

ERICKSON: He did not give you the latest one. There was one later than that.

SHAFER: Q. With respect to Committee's Exhibit No. 1, that is a true and correct instrument?

A. That's right.

Q. Contains your signature and Mr. Vold's?

A. That's right.

Q. Did you notice that it represents that as between you and Mr. Vold that the respective shares are one-third ownership by Mr. Vold and two-thirds by you?

A. At that time, yes.

Q. At that time. Well, then, the first change in the proportion of ownership from the original proportion of 50-50 was that represented by this exhibit, two-thirds and one-third.

A. That's right.

Q. Later you acquired some further share of Mr. Vold's interest. Was that another five per cent?

A. Difference enough to make the seventy per cent. I am surprised Mr. Vold did not also give you that instrument because it is in writing.

Q. What is the nature of the writing?

A. That he transferred an additional amount of the ownership to me, making a division of seventy and thirty. Which is the wording, I can't tell you.

Q. Was that an agreement signed by both of you?

A. Yes.

Q. Do you have a duplicate of it?

A. I doubt it. I might. I will look and see.

Q. But anyway there was an agreement made subsequent to Exhibit No. 1, changing the ratio of ownership from that specified in Exhibit 1 to a proportion of 70 to 30. Now, then, subsequently, Mr. Vold's thirty per cent interest was sold to Mr. Gehring.

A. That's right. That was after he was out of the office.

Q. That was in 1944 sometime?

A. That's right.

Q. Do you know how much was paid for that interest?

A. No, I don't.

Q. Was Mr. Gehring employed in your office?

A. No answer.

Q. Is he now?

A. Yes.

Q. Did you provide any money for the purchase of that interest?

A. I did not.

Q. Do you know where Mr. Gehring obtained the money?

A. Mr. Gehring has sufficient money for that and a whole lot more.

Q. What did he do with his interest?

A. As far as I know, he still owns it.

Q. So the present owners are yourself and Mr. Gehring?

A. And Mr. Glock. It is divided three ways.

Q. But you share your interest with Mr. Glock?

A. That's right.

Q. So that there are now three owners in the operation of the business?

A. That's right.

Q. Now, going back to the original purchase price of this business, Mr. Erickson, could you give the committee a little more definite idea as to what was paid for the business? How it was paid?

A. I am sorry I can't. I just—

Q. Who handled the details?

A. Mr. Vold handled the details.

Q. As I understand it, you cannot give us any idea as to what the total investment was made?

A. Not offhand. No, I can't.

Q. Well, would you want to venture an estimate subject to further check?

A. No, I don't believe I would because I really don't remember.

Q. I see.

A. Some of you fellows might think I was trying not to remember but since I have had my operation, there are times that I don't remember. I have a lot of sulphur drugs in me. I am here to give you fellows all the cooperation I can.

Q. We may ask you to refresh your recollection as to such records as you have access to. You and Mr. Vold were associated together in the operation and ownership of this business from June, 1940, until he sold out his remain-

ing interest in about April, 1944. That would be nearly four years.

A. Mhm.

Q. That would be right?

A. About right, yes.

Q. By the way, you are sitting with your back to the reporter.

A. She should hear it.

Q. She may not hear your nod. Were there improvements made in the business after the original investment was made?

A. I think there was some, yes.

Q. Was there money borrowed from the Sterling State Bank to help finance?

A. I don't know.

Q. Do you remember signing the \$400 note with him to the Sterling Bank in that connection?

A. No, I did not.

Q. Or a renewal note?

A. No.

Q. Who may have, according to you?

A. I may have; I don't think I did. I can't remember that I did.

Q. Now Mr. Vold kept a set of books on this business through the time he was associated with it, did he not? Up in the possession of the Insurance Department?

A. That I can't say because I don't know if he had books. He may have had books, I don't know.

Q. You don't recall that from time to time, you and he consulted on the condition of the business with respect to how it was going—whether it was making money or losing?

A. The only consultation was when he would lay a statement on my desk showing that the restaurant was doing so and so. That is the only consultation I have had.

Q. Did he prepare a statement as to the condition of the business?

A. Laid it on the desk, that's right.

Q. Wouldn't you understand from that he was keeping some records?

A. It seems to me one of the girls was keeping some records.

Q. Was that Beth Murray?

A. Yes.

Q. Has she been keeping the records on it for the new concern?

A. She did up until the time it became a three-way company?

Q. And when was that?

A. Sometime last summer. I don't remember.

Q. Probably after Mr. Gehring purchased Vold's interest?

A. No answer.

Q. Well, then you say that Miss Murray kept records on the business during the time that you and Vold were associated together?

A. Somebody did. I never seen the records.

Q. Did you ever see a statement of the records?

A. Yes.

Q. Did the business pay dividends from time to time?

A. Yes, it did.

Q. Do you have recollection as to how much from time to time, from year to year?

A. No, I have no recollection.

Q. Did it pay some dividends during the year 1940?

A. I couldn't tell without looking it up.

Q. 1941?

A. Same answer.

Q. 1942?

A. I can't carry all those things in my head.

Q. I am rather interested if you recall whether there were dividends as of those years.

A. I can't even recall that.

Q. Do you still want to let the statement stand that there were dividends paid?

A. I am sure there was dividends paid.

Q. And divided between you and Mr. Vold?

A. Yes.

Q. Do you have any idea whether it amounted to \$100 or \$1000?

A. I don't know.

Q. Don't you keep individual records as to your income from the different businesses?

A. That's right. But I am not attempting to tell this committee. Assuming I don't know nothing about it.

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Q. Have you got an income from that business?

A. I have it in my books.

Q. On your personal books? Your personal books could give us that?

A. I think so.

Q. On the basis of your recollection, you don't want to say what it was?

A. No.

Q. As far as you can help the committee out on that point, it would be simply that you would have earnings that were distributed?

A. That's right.

Q. Would your records show what the total investments were?

A. I think so.

Q. You have a record that would show?

A. That's right.

Q. Where would the funds come from for the purchase of this business? in the first place?

A. Well, I can only answer for myself. I used my own money that come from my salary and farm and other investments that I had.

Q. Do you remember how much you put into it?

A. No, I don't.

Q. Do you have any idea?

A. No, I don't.

Q. Do you know what Vold put into it in the first place?

A. I have no idea.

Q. Or where he got the money?

A. He did the dealing with Mr. Zappos and I bought from him.

Q. You mean you paid Vold?

A. Yes.

Q. You turned your share of the money over to Vold?

A. That's right.

Q. Do you recall the situation Mr. Zappos was in at the time he sold out was such that it was necessary for the purchasers to apply practically all of the purchase price in the payment of his bills?

A; No, I don't.

Q. You know nothing about that? And that

the bills he owed were equal to or greater than the amount of his purchase price?

A. That could all be. I don't know because Mr. Vold handled it.

Q. Remember where the bank account was carried for this business?

A. Dakota National Bank.

Q. And the bank account was carried in the name of the new Capitol Cafe, Agnes Shirley, Manager?

A. That's right.

Q. Did you see the bankbooks in connection with that?

A. I never have.

Q. Or the Bank Statements?

A. I never have.

Q. Do you recall, if you know, the circumstances under which the account was opened in the first place and what money was put in the account?

A. I don't know.

Q. Did Miss Shirley—and I understand she was a single woman at that time—handle the matter of making deposits and writing all checks?

A. That's right. As far as I know.

Q. You did not do it?

A. No.

Q. And Mr. Vold either?

A. I never asked the question, Never been to the bank.

Q. You never saw any statements?

A. That's right.

Q. Did Miss Shirley, in her capacity as manager, make statements as to you and Mr. Vold?

A. No, she did not. Not to me, at least.

Q. Now there has been testimony offered to this committee that the total investment in this business reached a sum in excess of \$6300 including the original purchase price and other additions and improvements. Would that figure appear to be right, according to your recollection as of today?

A. I don't remember but I don't think there was any such amount put in there. I know I never put any additional funds in.

Q. You mean from the beginning? In the first place?

A. That's right.

Q. Do you have in mind now what you put in?

A. No.

Q. Would you say it was a small nominal amount or an amount up to \$1,000 or \$2,000.

A. I am sure it wasn't a thousand dollars, but I don't know the figures.

Q. Would you have any idea as to what the total investment value of this business approximated at the time you and Vold quit?

A. No, I had Mr. Chernich make an audit of it from the six months before it.

Q. Before what?

A. Before Mr. Vold went out.

Q. He went out April, 1944.

A. In the fall of '43 Mr. Chernich made an audit.

Q. Did that report show what the investment value of the report was?

A. I think it did.

Q. Have you got it there?

A. I think I have.

Q. Would you be willing to make that available to the Committee?

A. Yes, if I have it, you can have it.

Q. Did Henry T. Murphy of the Murphy Insurance Agency furnish any of the money in connection with the purchase price of this business.

A. Not to my knowledge, he did not.

Q. Do you know whether he loaned either you or Mr. Vold or both of you any money?

A. He never loaned me any money.

Q. Do you know whether he loaned any money for the purchase of this business?

A. Not that I know anything about.

Q. If Mr. Vold has stated to this committee that the first one thousand dollars investment in the purchase of the business came from Mr. Murphy, what would you have to say about that statement.

A. I would have to say that was a matter between Mr. Murphy and Mr. Vold. I don't know anything about it.

Q. You want the Committee to understand that if Murphy furnished any money, it was

something that you were not a party to, do you?

A. That's right.

Q. Don't know about it?

A. No.

Q. Never heard about it?

A. No.

Q. Do you recall whether or not Mr. Vold ever said anything to you about furnishing any money for the purchase of this business?

A. Never said anything about it.

Q. Did you ever hear before now that Vold claimed that that is the case?

A. No.

Q. This is the first knowledge you have had that this is his version of it?

A. That's right.

Q. You have purchased some residential properties in Bismarck in the last few years?

A. That's right.

Q. How many do you own?

A. I?

Q. You.

A. Together we own at the present time three houses.

Q. That includes one house on Seventh Street?

A. That's right.

Q. The title is in Mrs. Erickson?

A. That's right.

Q. Was that house bought from J. P. Jackson?

A. That's right.

Q. What year was it purchased?

A. I believe in 1937. No, after that. 1939.

Q. Was it an outright cash deal?

A. I just made a down payment.

Q. Did you buy it on contract?

A. And then subsequently paid the contract.

Q. Do you remember what the original purchase price was?

A. \$6,000, I think.

Q. Did Mr. Vold buy it as your agent or

furnish any of the money for the purchase price or to apply on the installment setup?

A (Emphatically) He did not. At no time.

Q. You never called on him to raise any money?

A. No, sir.

Q. If he has made a statement to that effect, you want the committee to understand that is not true?

A. That's right.

Q. Would you mind stating to the committee where the money came from?

A. That is a personal matter. Am I personally on trial or the department?

Q. Well . . .

A. I buy and sell houses right along. I will frankly state to the committee that I have made more money buying and selling houses in Bismarck than I ever made on my salary. I will also state to the Committee that I operate a large farm. I have a lot of cattle down there. I have made more money on the farm the last few years than I did twenty years prior to that and I have used that money together with what Mrs. Erickson inherited from her folks to carry on the buying and selling of houses. I don't think it is the prerogative of this committee of anybody else to know of my personal business just because the department is on trial.

Q. The reason is because testimony has been offered showing some of the money which you obtained as to the purchase of this house, and that is why we are asking for your version.

A. Then Mr. Chairman, I am entitled to know what your examiners have found out. I am entitled to know your report; I am entitled to know what Mr. Vold has testified to before I answer any of your questions and I am going to now and here before the committee say that I will not answer any personal questions until I have had time to go through such report and I think Mr. Kelly will tell you that we give him full cooperation, that nothing was denied him during the time that he was up there better than four months investigating and checking the documents.

Q. Will it assist you now if I state that Mr. Vold who has furnished his version of this matter concerning which I am now inquiring about has testified that he furnished approximately \$3800 three different times for the purpose of enabling you to pay installments

and taxes due on this house. That is the substance of that testimony.

A. Then I will have to state before this committee that Mr. Vold is an unmitigated liar. I want to state further to the Committee right now the reason for the discharge of Mr. Vold. Mr. Vold was given time off to go to St. Paul and assist in an examination of the St. Paul Fire and Marine Insurance Company.

Q. In 1941?

A. That's right. At that time, he had a stroke which affected his mind. His mind has not been right since and it got to the point in the department where he couldn't get along with nobody, myself included. It got to the point where I had to let him out. He sat out there dictating a letter that tells me how to run the department. I had nothing further to say about it.

Q. I take it from what you have just said in denying Mr. Vold's testimony about where some of the money came from according to his statement—that none of this money came from Mr. Henry T. Murphy or the Murphy Insurance Agencies.

A. That's right. And you gentlemen can call Mr. Jackson as a man above reproach and he will testify to the same thing—that the final payment was made and if Mr. Vold had furnished the amount he said, it should have been paid a long time.

Q. Some \$3800? Three different times, totalling, if I remember rightly, \$3800?

A. That is not true.

Q. You want this Committee to understand he did not furnish any?

A. That's right.

Q. Nor did Henry T. Murphy or the Murphy Insurance Agency?

A. That's right.

Q. That all of the money that went into it was money earned outside of the operation of the Insurance Department.

A. That's right.

Q. Your salary as insurance commissioner during these years has been \$200 per month?

A. Right.

Q. Was there any arrangement made between you and Mr. Vold about which he was to secure for your benefit an additional \$100 a month?

A. That is an unmitigated lie.

Q. During the period prior to January 1, 1944?

A. No, sir. If he made such a statement, I want the record to show that it is untrue.

Q. All untrue? A. That's right.

Q. Did he have anything to do with getting you any financial benefit or compensation?

A. He did not.

Q. Do you recall a series of reinsurance transactions that had to do with the St. Paul Fire and Marine Insurance Company and the Mercury Insurance Company in 1941 in which there was involved a commission of about \$8500 due the Murphy Insurance Agency?

A. No, I don't know about that.

Q. You know nothing about that whatever?

A. That's right.

Q. Do you know that those St. Paul Companies—that is what I will refer to them as—had any reinsurance?

A. I think they would all be handled through the Murphy Insurance.

Q. I understand that, but what I am getting at, do you recall that those two companies would have reinsurance in substantial amounts?

A. I never knew the total amounts. At the end of the year, there was a statement made of it.

Q. It was a substantial amount?

A. I think that is true.

Q. So that it isn't impossible that the Murphy Insurance Agency would earn a commission of around \$8500.

A. That is possible.

Q. Do you recall anything about the complications that arose in connection with Mr. Murphy's death on August 24, 1941, in regard to the collection of those items?

A. No, that is none of my business.

Q. Do you know that in connection with the settlement that was attempted to be made and which were in progress at the time Mr. Murphy died, that there was a credit of about \$5,000 to his personal account on the books of the St. Paul and Mercury Company?

A. I don't know nothing about that. That would hardly come under my jurisdiction. That would be a matter between the Murphy Insurance Agency.

Q. I will show you a couple of memoranda

in that regard for the purpose of refreshing your memory if you have any memory or knowledge of it. Then you will see how you might be involved.

(Continuing) Did you know that the department cancelled those insurance policies which have been written through the Murphy Insurance Agency after Mr. Murphy died and re-issued them to Kochs as agents and that Koch's then succeeded in collecting the same amount of premiums that had been placed on the books to the credit of Murphy?

A. No. I know that Mr. Vold come into my office at one time and said that Koch's were trying to steal Mrs. Murphy's interest in the agency and then if we wouldn't be parties to it and shouldn't issue any policies to the Koch Agency as such. That is the only recollection I have of any difficulty in the Murphy or Koch Insurance Agency.

Q. You don't recall that that procedure was to cancel the policies that were written before Mr. Murphy died and rewritten so that they could collect the premium which had already been credited on the books to Mr. Murphy and which he couldn't collect because he was dead?

A. No.

Q. What is the procedure with respect to issuance of reinsurance policies in the first place? Take, for instance, the policies that were issued to the St. Paul Fire and Marine Company. What is that procedure?

A. It would be the same procedure of any others.

Q. Just in case some may not know what that is, will you state it?

A. Well, when there is some reinsurance coming up, Mr. Vold would say: We got this reinsurance coming up. And I think we should give it to Murphy, or Western, give it to my friend from Grand Forks, or somebody else. And I would say: I will leave it up to you. If we made out the policies and their application, be sure these fellows were entitled to it, and I would sign the warrants.

Q. What is the nature of the instrument you would sign?

A. The voucher I would sign.

Q. The voucher for the premiums? Would you apply for the insurance as an applicant?

A. No.

Q. The department would?

A. Yes.

Q. Was that known as a requisition?

A. Yes. You may call it a requisition.

Q. In the first instance, it was an application by the insured which would be in that case the Fire and Tornado Fund to one of these companies for so much reinsurance. So that would be handled indirectly through a local agent, as for instance, in the case of the St. Paul Fire and Marine, by Murphy?

A. Not always.

Q. That would be an example?

A. As an example, I would say that's right.

Q. Then the company would accept policies?

A. That's right.

Q. In accepting policies, they would issue it before they got the money?

A. That's right.

Q. Issue the policy, send it out to the State Insurance Department together with a voucher for the premiums?

A. That's right.

Q. That voucher would be laid before you for your approval?

A. That's right.

Q. Then there was a warrant issued to him?

A. To his agent.

Q. The entire premiums would be paid to the agents?

A. That's right.

Q. Who issued those warrants?

A. Mr. Vold would write out the warrants and sign it and present it for my signature.

Q. The Insurance Commissioner and Insurance Manager signed the warrants?

A. That's right.

Q. Going back to the matter of the cancellation of these insurance policies in 1941 to the Fire and Marine and Mercury Companies, if that was done then of course you approved the application and you approved the voucher and you signed the warrant for the premiums. The records would verify it if that was done.

A. Yes.

Q. Now you are not saying it wasn't done?

A. No.

Q. But you are telling us you don't recall the cancellation of the policies?

A. I am saying I have no recollection of that happening.

Q. If it did happen, you know nothing about it?

A. That's right.

Q. Were you involved in personal negotiations at that time? By that I mean the repurchase of your farm at Tappen in 1941?

A. That's right.

Q. The Federal Land Bank had acquired title?

A. That's right.

Q. And you were negotiating for a repurchase?

A. That's right.

Q. You had succeeded in repurchasing?

A. That's right.

Q. Now did Koch provide any money or any financial assistance to you?

A. No, sir. And I will tell you how you can verify that statement. I got a thousand dollars from Elmer Olson, the lumberyard man, at Tappen.

Q. You mean you borrowed?

A. Yes, I borrowed a thousand dollars from Charles Schwartz who was Fire Marshall. I borrowed a thousand dollars from James Kennelly, and that was the entire amount I needed to retain that.

Q. What was that amount?

A. \$2800.

Q. Did Mr. Koch make any financial advances to you on any account?

A. No, sir.

Q. Or did he pay you any money for any reason?

A. No, sir.

Q. Or Mr. Koch make any financial advances to you on any account?

A. No, sir.

Q. Or Mrs. Kennelly?

A. No, sir. I wouldn't say he did not give me any money. He probably give me a Christmas present and I got that from Life Insurance Company always.

Q. What I am talking about now is whether or not you secured financial assistance from the Kochs.

A. No, sir.

Q. After Murphy died, before the repurchase of this Tappen farm?

A. I bought that for \$2800 and I just told the Committee where I got it and I just completed paying Mr. Schwartz last week. I did not pay him in cash.

Q. Do you wish the Committee to understand that Mr. Koch or the Murphy Insurance Agency did not pay you or advance to you, either way, any part of the Insurance Commissions that I have just been inquiring about that he obtained, so we understand, from the St. Paul Fire and Marine Insurance Company?

A. That's right.

Q. Do you know what he did with that money if he got it?

A. No, sir. I don't know what you do with your money, either, George. That is a personal matter.

Q. I am questioning you on other testimony given here.

A. That is all right. I am answering the same way.

Q. Were you and Mr. Vold interested together in the purchase of some property in St. Paul which was a former college?

A. No, sir. I think that your chairman can verify that statement. He did at the time he was sick in St. Paul.

Q. You mean Vold?

A. Mr. Vold was sick in St. Paul. He got married while he was there shortly before he had his stroke. His wife was a graduate of this Lutheran Church School which later had been abandoned and her college chum was married and living there together with her husband as caretaker of that property. Mr. Vold got an idea that he could buy that property cheap and convert it into apartments. I think he paid an architect some money to make an estimate of that. He told me that. Then he asked our man Mr. Pierce to figure on it. He wasn't satisfied with his figures and he went to Fargo and consulted with Meinecke-Johnson on the same buildings. And the next day after that, there was a statement in the Fargo Forum to the effect that Mr. Vold had obtained an option on some property in St. Paul. And he came back and told Mr. Pierce to stay away from Meinecke-Johnson because he was a bad man.

Q. That is hearsay?

A. That is hearsay, yes.

Q. What the committee was interested in of course was what extent if at all you were interested in that deal.

A. None whatsoever.

Q. You weren't a prospective partner?

A. No, sir, I wasn't. I sat down and listened to his deliverance but I never had anything in it.

Q. According to the records and recommendations that have been submitted to the committee from the audit of Ernst and Ernst, there is a large amount of reinsurance business given to the Western Fire Insurance Company and the Western Casualty and Surety Company during the years of 1937 and 1940, I believe. Are you acquainted with those business transactions?

A. That's right. I knew they were placed there, yes.

Q. And that the total volume is very large as compared with the amount given to others?

A. They had the reinsurance on the Building Fund and the Catastrophe Policy, I believe.

Q. Do you recall in that connection the premiums paid on that business of \$34,000?

A. Over a period of years.

Q. Do you remember the circumstances under which those two companies became reinsurance insurers of this business?

A. No, not in particular—anything in particular to remember about it.

Q. As I understand it, the business was done directly with them and not through any North Dakota Agent or Agency.

A. Originally they sent a man up here.

Q. Do you remember who that was?

A. It is a short name.

Q. Was his name Peet?

A. No.

Q. Was his name Otto?

A. Otto, that's right.

Q. An Underwriter for these companies?

A. Yes, he was an Underwriter and Auditor for these Companies.

Q. Did he come up and solicit the business?

A. That's right. And also made a check on the locations of the various buildings in the state—the hazards and so forth.

Q. Was the business given as a result of his solicitation?

A. That's right.

Q. And were you then acquainted with any of the other officers in those companies?

A. Nop

Q. Did you become acquainted with them later?

A. No.

Q. Would you know the president of the companies by the name of Raymond Duboc?

A. I met him once.

Q. In Kansas?

A. Kansas City.

Q. He was president of both companies?

A. I don't know.

Q. Anyhow, he was president of the Western Fire Insurance Company?

A. Yes.

Q. You met him only once?

A. That is all I know.

Q. Who got the Commission?

A. I haven't any idea.

Q. Do you remember there was an agency known as the Kansas City Insurance Agency that received the commissions?

A. I wouldn't know.

Q. Did you ever hear of that Agency?

A. No answer.

Q. Did you know that they seemed to be affiliated in a business way with the Western Companies?

A. I couldn't say offhand that I know and don't know. I am not sure.

Q. Do you know that that agency was a sort of an Insurance Commission collection unit for the other two companies?

A. No, I don't know.

Q. That is to say, that some premiums were paid directly to the companies and that the commissions were then turned over to this so-called Kansas City Insurance Agency?

A. No, I don't.

Q. Do you know L. M. Peet?

A. Yes.

Q. He is now president of the Life Insurance Company known as the Farmer's Union Life Insurance Company of Des Moines, Iowa.

A. That's right.

Q. And did he interest himself in this insurance in any way in these companies I mentioned?

A. I can't remember that he did.

Q. Did you ever see any correspondence between him and your department in connection with reinsurance for the benefit of the Western Companies?

A. No.

Q. You never saw it?

A. No.

Q. You know whether or not Peet now is the controlling owner of this Farmer's Union Life Insurance Company?

A. I don't think he is; according to records, he is not.

Q. He is the President?

A. Yes, that is a Stock Company, and I think there is some twenty-two thousand shares.

Q. Of stock rather widely distributed?

A. Yes, in Montana and this state.

Q. Did he ever talk to you about the matter of becoming associated in connection with that Insurance Company?

A. Yes, he has. And several other companies.

Q. Anyway, he talked to you about becoming an officer of that company, associated with him?

A. That's right.

Q. Was there an understanding, at least tentative, when and if you should retire, you should become associated with him?

A. There was never any definite understanding.

Q. There were tentative plans to that effect?

A. No, not plans. At least, talk. And several others have talked about several companies. I first want to say how interested Mr. Peet was. I don't want to be set down to say just one company. I am working at it as best I know how.

Q. About when did you and Mr. Peet first discuss that possibility?

A. Oh, I think it was about—oh, I would say

it was in 1940. That time Mr. Bridston and some of the boys had an edge on me and thought they might defeat me. You want to get ready for some other business in case they were successful.

Q. When did you first become acquainted with Mr. Peet according to your best recollections?

A. Oh, in 1938, 1939, somewhere in there.

Q. Do you recall going to Excelsior Springs, Missouri, with Mr. Vold and after the General Election in 1938 for a rest and warm water treatment or whatever they give at those springs?

A. Mr. Vold might have gone for a rest, but I went for a serious operation.

Q. You and he did go down?

A. That's right.

Q. That was in November, 1938?

A. I wouldn't say.

Q. After the General Election of 1938?

A. Sometime late in the fall.

Q. So you weren't positive of being retired at that time?

A. That's right.

Q. Did you and Mr. Vold spend some considerable time there at the Spring?

A. I was in bed there for twelve or thirteen days.

Q. Did you undergo an operation there?

A. I did.

Q. What was Mr. Vold doing there at that time? Why was he there?

A. You will have to take Mr. Vold's statement. I wouldn't know.

Q. What would you say if I asked you if he went for a rest?

A. That is not true. I have never gone for a rest.

Q. What was he there for?

A. He just wanted to get away from the office. He wanted to see the place.

Q. Did he stay there some time?

A. I think he stayed.

Q. Did you and Mr. Vold have a visit from Mr. Peet there at that time?

A. I think he was down there.

Q. He came there and visited with you?

A. Yes.

Q. Did Mr. Duboc come over there too?

A. No that I seen.

Q. Anyway, Peet was there?

A. He was there one night if I remember right.

Q. And the three of you talked tentatively about plans for associating together as prospective owners of this Farmer's Union Life Insurance Company?

A. No, we did not.

Q. Did you know Mr. Peet at that time?

A. Yes, I met him. I think that was the first time I met him. No, I think the first time was here in Bismarck.

Q. He was up here before?

A. That's right.

Q. Then would you say you and he first talked about associating together in the Insurance Business?

A. Sometime in 1940.

Q. After the 1940 election?

A. During the 1940 election.

Q. Did Mr. Peet propose this idea?

A. That's right.

Q. Of your being associated with him?

A. That's right.

Q. At that time, he had in mind the conduct of the Farmers Union Life Insurance Company?

A. That's right.

Q. As a matter of fact, he was seeking to get control of it or at least to be president of it?

A. He was president at that time.

Q. Now was this idea discussed from time to time afterwards?

A. Never mentioned it. Never since that I know of.

Q. You saw Mr. Duboc probably at the offices of the Western Fire Insurance Company in Kansas City?

A. That's right.

Q. Did you see him on that occasion that you and Vold were at the Springs?

A. No, I did not.

Q. It was on another occasion?

A. I think it was at the Springs. It was only twenty-nine miles from Excelsior Springs to Kansas City.

Q. Do you know whether Mr. Peet had some business connection with the Kansas City Insurance Agency?

A. No, I don't.

Q. Never manifested any interest in the earnings of the Agency?

A. No.

Q. Did he indicate interest in to whom the Insurance Commissions might go to as the result of the reinsurance business given to the Westerns?

A. No, he did not.

Q. Was there any arrangement expressed or implied between you and Mr. Peet and Vold about Insurance Commissions and reinsurance given to these Western Companies, that it was to go to the Kansas City Agency that I have mentioned—passing through to Mr. Peet?

A. Never heard of it.

Q. And did Mr. Peet look to that source of funds as a source of money by which he might be able to finance the purchase of additional stock in the Farmer's Union Life Insurance Company?

A. I am not a mind reader, but he never expressed any such thoughts to me.

Q. Did he contemplate any investment on your part?

A. No.

Q. That you should join him in the operation of this Life Insurance Company?

A. I asked him if he was able to invest. I told him I had all the burden I could carry as long as I was the Commissioner of Insurance. I never did on any Insurance Stock.

Q. Did he say why he was interested in it and in you?

A. Yes. Like 125,000 other people in North Dakota, he kind of liked me.

Q. You think it was a personal interest?

A. He said I had a way of meeting people and getting along with people that I would make a good officer in the company.

Q. Did this discussion contemplate Mr. Vold joining you two men in the operation of the company?

A. No, sir. Mr. Vold was never mentioned by Mr. Peet.

Q. Was there any understanding by you that Vold would go along with you?

A. No.

Q. Did you have any such plans or ideas?

A. No, sir.

Q. Did Peet in connection with his trips out here talk to you about reinsurance business in the interest of the Western Companies?

A. Once, I think. He told me that Mr. Bridston was agent of the company and if I had a little business I could tell him. It would be appreciated.

Q. He knows that?

A. I think that was about the time he was out here.

Q. Do you remember the year?

A. No, I can't say.

Q. Did someone else succeed Mr. Bridston as state agent or representative here?

A. No.

Q. Did Mr. Cosgriff sign or countersign policies that were issued to the Fund?

A. Yes, he did.

Q. Other than the suggestion from Mr. Peet as to turning reinsurance over to the Western while Bridston was agent, do you want the Committee to understand that Mr. Peet never solicited any reinsurance business for the Westerns?

A. Not to me.

Q. Do you think he did to Vold?

A. No answer.

Q. Have you got any reason to suppose that there was any special cooperative relationship between Vold and Peet?

A. I wouldn't know.

Q. Do you suspicion it now in view of subsequent events?

A. I suspicion it, yes.

Q. Would you be willing to give your version of it?

A. I wouldn't attempt to because I wouldn't know.

Q. Sometimes when you think back you think

of circumstances that are in harmony with that idea?

A. That's right.

Q. Do you think of circumstances that would involve Vold with Peet?

A. Somewhat. You had said—I would gather Mr. Vold has attempted to tell the committee that there was collusion between I and Mr. Peet, that certain commissions were to go back to some of us or all of us. If that is the case I would naturally have to make the conclusion that he was in some kind of a deal.

Q. That would indicate to your mind he and Peet were in collusion?

A. I would say he might be.

Q. Do you suspicion the integrity of this man Peet?

A. No, I don't.

Q. In light of what has taken place?

A. No, I don't.

Q. Your present relations with him are friendly?

A. That's right.

Q. Have you got any business pending with him now?

A. I have not.

Q. Do you still have any plans to join him?

A. That all depends.

Q. After you should retire voluntarily or involuntarily?

A. I probably will land insome insurance company. I don't want you to think I was trying to short circuit you in any answer.

Q. You think companies besides Mr. Peet's companies were interested in having you join them. Do you want to name the companies for the record?

A. Well, I might name a couple. I don't think it is very important. The Western at Fargo.

Q. You might say who the party was.

A. I don't think I want to tell this. One of the officers. And also the Lincoln Health and Accident of Fargo and the Security Mutual of Fargo. The Lutheran Aid of Minneapolis and others not important.

Q. You still have that in mind as a possible future occupation when you retire from the office you now hold?

A. I have got to have some way to make a living. That is as good a way as any I know. Looking back over the records of Insurance Commissioners of the United States I would say that 99 per cent of them when they retire end up with some Insurance Company.

Q. Would you say that is a suspicious circumstance?

A. I would say that is better than the Governor.

Q. Has there been any plans or discussion between you and any of the officers of the Westerns regarding prospective affiliations?

A. No, there hasn't. In fact, I have only seen this man Duboc once and Otto twice.

Q. Did you have some difficulty retaining the Erickson farm home in Wisconsin?

A. I did retain it.

Q. Had that come to foreclosure also and title to the Northwestern Mutual Life Insurance Company at Milwaukee?

A. I like to tell that in detail. My grandparents come to this country in 1860. My mother was seven years old. My father's mother was a widow whose husband went out in the morning as a fisherman and never come back. She came to this country when she was two years old and her brother married her to the blacksmith. When I was sixteen years old, the second family was coming in and I was kicked out. I went to Chippewa Falls, Wisconsin, which at that time had the biggest sawmill in the world and I went to work there as a lumberjack. My grandparents on mother's side had established a home near Bloomer, Wisconsin, where all these so-called newcomers would gather and make it home. He was one of them. He later married my mother and bought an 80-acre farm in the woods and then sixty years of hard work cleared it up and made a farm home. In 1918 when everybody was asking for more production, my brother next to me was still at home about to get married. Father decided that he would buy another 80 joining the home place and mortgage the two places and work together until they paid the mortgage. And then brother would have the home place and the parents would live on this new place. Depression came along and they lost both places. My folks were without a home for years, without a shingle over their heads. This insurance company foreclosed on the land and took it away from them.

When I became Insurance Commissioner, I

hoped for the privilege of buying the place back that my parents might die on the place they worked on all their life, that they cleared up. Father was totally blind and they lost everything they had.

I made a deal with a company for \$2500. I did not have the \$2500 but I went to this man Peet and told my story. He says: I have got a little cash. I will borrow a thousand dollars on my insurance policy and you buy the place and I will furnish the money to pay for it. You get the deeds and don't record them. Bring unrecorded deeds to me and I will hold them until such time as you can pay for them. Mr. Peet is still holding that deed, that my parents might die thinking they had had a home. I am putting the place on the market now in hopes of selling it to pay Mr. Peet for the land. That rat—I call him rat. After all I did for him.

Q. You are referring to whom?

A. Mr. Vold. He got married and had a stroke. Didn't have a nickel in the world—lot of floating checks—nobody to take care of him. I put him back on the payroll so that he could live after buying a \$1200 diamond ring for his wife for a wedding present through an insurance company at Minot. I took care of him and this is the thanks I get. I don't think Mr. Vold would do it, but since he had the stroke, his mind is not right. If the committee prefers to take his statements rather than mine, that is the committee's privilege.

Q. Going back to this matter of the repurchase of the Wisconsin Farm, that was repurchased on a contract?

A. No. It was purchased for cash.

Q. Do you remember how much?

A. \$2500. I have just stated I got the \$2500 from Mr. Peet. He borrowed \$1,000 on his Life Insurance Policy and I don't believe he has paid off the Life Insurance Loan. I can't pay for the land until I sell it.

Q. In what year was this done?

A. I can't remember. Just a few years back.

Q. Back in 1937 or 1938?

A. Somewhere back in 1937, 1938, 1939. I am not sure.

Q. Well, Mr. Peet made this loan to you purely on a personal friendship basis?

A. No, sir. He still holds the deed for that land.

Q. He wasn't interested except to help you out?

A. That's right.

Q. It is a personal accomodation in that sense?

A. Yes.

Q. You went to him for help—what you considered an emergency and he helped you out?

A. Yes.

Q. He put up \$1500 and borrowed a thousand dollars on his personal life insurance policy?

A. That's right.

Q. Is Mr. Peet a man of limited financial ability?

A. Very much so.

Q. At that time, was he president?

A. Yes.

Q. What I was wondering about—why it would be necessary for the president of the Life Insurance Company to borrow a thousand dollars to help a friend out.

A. You have the wrong conception of the president of a life insurance company. He only gets \$5,000 a year.

Q. The time to which you refer, he was probably in less favorable financial circumstances than he is now?

A. Could be.

Q. At that time the time the accomodation loan was made, do you think that Mr. Peet was then looking forward with some confidence to being associated with you in the Life Insurance business?

A. I wouldn't know. I do know the furniture is for sale now. The folks are both dead. You can pay the money to Mr. Peet.

Q. How big?

A. Eighty acres improved farm. In place of buying it, I could have sold the place for \$200 an acre in 1918.

Q. In connection with this financial operation, did you deal with a man by the name of E. C. Wicklund, an agent for the Northwestern Mutual Insurance Company, representing a company in the County of Chippewa.

A. No, he has got that wrong. It is Eau Claire.

Q. Mr. Erickson, I want to show you Committee's Exhibit No. 5 which purports to be a statement rendered by the Northwestern Mutual Life Insurance Company in Milwaukee to you for the total amount of \$711.33, for

principal and interest due on a loan dated June 1, 1940, and ask you if you recognize that instrument.

(Shafer hands paper to Erickson)

A. I think that is—

Q. Will you explain, if you please, what that statement represents in relation to your re-purchase deal?

A. It represents the balance due. Mr. Peet did not pay it all the first time.

Q. You mean he did not pay the \$2500 down in cash at once?

A. That's right.

Q. Do you know whether he obtained a contract?

A. No.

Q. Did he ever then?

A. I wouldn't think he has.

Q. Had he already paid a partial payment?

A. That's right. The total price was \$2500.

Q. This instrument, which purports to be a statement of delinquent items refers to Contract No. 1527-83?

A. I can't tell.

Q. Do those figures indicate anything to your mind as to the manner?

A. I think I told you it was a deed but I think I can remember back now that it was a contract and a deed issued after this payment.

Q. Everything on the face of this statement would you not say, would indicate a contract between the insurance agency and yourself.

A. That's right.

Q. The contract ran to you?

A. Yes. And the deed ran to me, but they are not recorded in the Register of Deeds' Office in Chippewa Falls.

Q. This statement indicates the amount due at that particular time?

A. That's right.

Q. Well, I understand you to say a little bit ago that the deed ran to Peet.

A. I said the deed was never recorded and Peet wants the deed in his possession.

Q. Did you assign it to him?

A. No.

Q. What security has he got?

A. The unrecorded deed. Not no contract.

Q. And this deed, that runs to you?

A. That's right.

Q. That is your deed? That is not his?

A. No.

Q. He hasn't got a blank deed from you to him?

A. No.

Q. Do you recall whether or not at the time this statement, Exhibit No. 5 arrived, that you showed it to Mr. Vold and told him in effect that you were up against it for \$711 with which to take care of this delinquent payment and asked for assistance in raising that?

A. No, sir.

Q. You would say that no such thing took place?

A. I think that will account for the screw driver marks I can see on my desk.

Q. From which I take it that you imply that Mr. Vold got his hands on this paper which appears on the face to belong to you.

A. That's right. I think he has got more of them.

Q. You want the committee to understand you did not have any discussion with him about furnishing any reinsurance to the Westerns so that Peet could get some commission?

A. No, sir.

Q. Nothing like that took place?

A. No, sir.

Q. Mr. Chairman, it is getting late. I wonder if you might ask Mr. Erickson if he would be good enough to do so, to furnish us tomorrow morning, whenever the committee goes in session again, such records as he may have touching the investments in the New Capitol Cafe, such as the Chernich Audit.

A. If I can find it.

Q. And any books and records Miss Murray may have kept?

A. If she has any records. I didn't know she had any records except she would get the books once a month and get the tape from the cash register and make the books from that.

JOHNSON: Will you furnish the records that you have?

ERICKSON: I will be glad if I find them.

Whereupon recess was called until 10:00 A. M. the following morning.

10:00 A.M. January 2 , 1945.

**JOHNSON:** With a quorum of the Committee present, we will continue after a recess. The two absent members are Callahan and Senator Thatcher. You may continue where you left off, Mr. Shafer.

**ERICKSON:** Before you start in, George, I want to make a statement that might help the Committee. We' discussed repurchase of the Tappen farm yesterday. I bought that from James McKee at Tappen and he bought it from the Land Bank. I thought I would give you that information so that if you want to, you can check with Mr. McKee. Mr. McKee lives in the Village of Tappen. Then there is another statement I would like to make. There was a resolution introduced in the House by request by Mr. Graham. I want this committee to know that is wasn't introduced at my request. I want to see this thing through. I personally don't believe that you have any chance since the 1st of January, and I don't think you should spend time and money.  
Q. As far as you are concerned, you will be will to cooperate with the Committee bearing upon the matter under investigation?

A. That's right.

Q. You are not cooperating with Mr. Graham or anybody else to force the proposed matters to a premature close?

A. No answer.

**ERICKSON:** I spoke to Mr. Johnson last night stating that as long as it was my department that was under investigation, that I felt I was entitled to a copy of the Ernst & Ernst report. I made the request last night to Mr. Johnson after adjournment and he suggested it would be taken up with the committee and if a majority of the committee was in favor of giving that report, it would be available for me.

**JOHNSON:** You heard the request of Mr. Erickson. He would like to have the report of Ernst & Ernst. He did write me a letter and also called me the same day I received the letter and wanted that report, and my reply to Mr. Erickson was that it was a matter for the Committee and the only thing we could do was to report back to the Legislature. That was our duty under the Statute. Does the Committee wish to take action on the request of Mr. Erickson that he be given a partial report that we have of Ernst & Ernst?

**PAGE:** Mr. Chairman, personally I can't see any particular harm in giving Mr. Erickson the report if we have the authority to do that.

- JOHNSON: I don't think the committee has that right if the committee would so wish to take that action. So far as investigation of this committee is concerned, this is the question: Mr. Erickson and Mr. Vold have nothing to do with the report that has been submitted. I refer to the audit report that has been submitted by Ernst & Ernst.
- ERICKSON: Here is one of the main reasons I would like to have the report. I understand there are certain recommendations in the report for employment in the bookkeeping set-up in the firm and some recommendations in the Hall Fund. Time is slipping away and if we are to introduce any legislation to correct or comply with the recommendations of Ernst & Ernst then we should do it.
- BRIDSTON: Have we a right to give this report to anybody?
- JOHNSON: The resolution says we are to make our report and the information we are able to receive is to be presented to the 1945 legislature. It is under Concurrent Resolution B of Section 2, Session Laws. Does the committee wish to take any action on the request of Mr. Erickson?
- SHAFER: My suggestion in view of the different angles is that you take that up in executive session after we recess today or this afternoon and maybe some resolution can be worked out.
- JOHNSON: If that is agreeable, we will then take it up in executive session. Then we may continue with the testimony.
- SHAFER: Q. Referring to the repurchase of the Tappen farm, did this man McKee buy the farm back from the Federal Land Bank?
- A. That's right.
- Q. But you bought it from him?
- A. That's right.
- Q. Did he buy it for your benefit?
- A. That's right.
- Q. And you financed his operatin?
- A. There was no financing . He bought the land and I bought it from him.
- A. No.
- Q. In other words, it was bought in his name?
- A. That's right.
- Q. And you furnished the money in the manner you described?
- A. That's right. The Federal Land Bank

has ruled that the original purchaser cannot repurchase.

Q. In other words, this man accommodated you by lending his name and he reconveyed to you?

A. That's right.

Q. Going back for the moment, Mr. Erickson, to the matter of the relationship of the Kansas City Fire Insurance Agency which we have been given to understand received the commissions on the reinsurance business given to the Western Companies, is it your understanding that this agency received those commissions?

A. I don't know anything about it.

Q. What is your understanding as to your department receiving the commission on that business?

A. I haven't any understanding. I don't know anything about it.

Q. Is it your understanding that no agent or agents in North Dakota received it?

A. I don't know that.

Q. Anyway, the business wasn't written through any agency in North Dakota?

A. I think Mr. Cosgriff countersigned all the policies.

Q. Assuming that said business was done directly with the company officers, not through Cosgriff, or any local agent.

A. That I don't know.

Q. Well, the general practice, was it not, in handling this reinsurance business was to operate through a North Dakota agency as a rule; for instance, Murphy Insurance Agency, Bismarck Agency, and the Byrne Agency located in Bismarck, is that right?

A. Through the various agencies, yes. I think you have a state law that the state agent has to countersign all the policies.

Q. Possibly so. What I mean is the manner in which this reinsurance business was handled. Except state reinsurance business given to the Western, insurance business was placed with companies through the local agency, were they not?

A. I think that's right.

Q. So that your manner of doing business direct with the Westerns was a departure from the general practice?

A. I think you are right.

Q. Was it your understanding that with respect to the business placed through North Dakota Agencies, the North Dakota Agencies represented the different commissions for that business?

A. I would assume they did, yes.

Q. Would you not know that as to the business placed with the Westerns, that some outside agent or agency received the commissions?

A. That's right.

Q. You assume somebody got it?

A. I don't think anybody got commissions.

Q. If they were placed directly?

A. They were still countersigned by a State Agent. He may have got a commission. I don't know.

Q. Where the business was done directly with an insurance company and all the local agent had to do was countersign it, the practice was to only give such local agent a nominal commission?

A. I wouldn't know.

Q. As I understood you once yesterday, Mr. Erickson, you told us that this man Peet did not have any business with you on behalf of the Western Companies for reinsurance?

A. That's right.

Q. May I call your attention to Committee's Exhibit No. 14 and will you read it so that I can ask you some questions with respect to the subject matter of that letter.

(Reads letter)

A. As far as I know, I have never seen the thing.

Q. It is a letter addressed to you, is it not?

A. That's right. But when the girls opens the mail, if it is intended for the Hail, some of it goes there; if it is for the Fire and Tornado Fund, it goes to the Fire and Tornado Fund unless it is marked "Personal" on the outside of the envelope.

Q. You have no recollection of having received this letter?

A. No.

Q. You may have?

A. I may have but I have no recollection.

Q. Is this Mr. Peet's signature?

A. Yes.

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Q. He signs his letter as Vice President of the Farmer's Union Life Insurance Company of Des Moines.

A. That that time, yes.

Q. I want to direct your attention to the following statement in the second paragraph of the letter, Exhibit No. 14, in which he says, "I think it is important that you insist that Otto take care of this at once so that we can accomplish some of the things that we have been talking about." Does that indicate to you any particular idea with respect to the insurance business?

A. No, it does not.

Q. Do you know what he is talking about?

A. No, I don't.

Q. Following that sentence, he says this: "I am also satisfied that it is important that you and I visit as quickly as possible because we have got to formulate some definite plan, so that you will know how far you might go there and how far I should go here". Do you know what Mr. Peet is talking about?

A. I have no idea. We have never had any such meeting at any time.

Q. Discuss the desirability of formulating a definite plan. Can you enlighten the Committee as to what plan?

A. I haven't any idea.

Q. He wasn't talking about some plan relating to your future affiliation with the Farmer's Union Life Insurance Company?

A. I wouldn't know. It is the first time I received the letter and Mr. Peet and I have not had any meetings to formulate any ideas.

Q. This letter, Exhibit No. 14, dated April 22, 1941, and the last sentence in the letter is as follows: "I expect I will be gone all of next week starting April 28, but will be back here May 5." Did you and Mr. Peet get back here and have a conference with whatever he had in mind?

A. No, sir.

JOHNSON: Mr. Page, you can take the chair.

SHAFER: Q. I show you Committee's Exhibit No. 19, which purports to be a letter from L. M. Peet to Oscar E. Erickson. Will you look at it?

ERICKSON: A. That is in the same category as the other one as far as I am concerned.

Q. Do you recall seeing that letter?

A. No, sir.

Q. Do the contents of it bring to your mind any insurance business transaction with Mr. Peet?

A. No.

Q. I show you Committee's Exhibit No. 18, which purports to be a letter written to "Otto", whom, I understand, is Otto Vold, on the stationery of the Farmer's Union Life Insurance Company, dated March 4, 1941.

(Hands paper to Erickson)

A. Well, that is a letter marked "Person" to Mr. Vold, and I can assure the Committee that I have never seen it.

Q. You are not familiar with the subject of the letter?

A. No, I am not.

Q. I direct your attention to Committee's Exhibit No. 17, which purports to be a letter written by L. M. Peet, to Mr. Otto Vold, dated January 12, 1939, and written on the letter head of the Farmer's Union Life Insurance Company.

(Hands paper to Erickson)

A. This letter too is marked "Personal". I think I can assure the Committee I have never seen it before.

Q. In this letter, Exhibit No. 17, Mr. Peet says to Mr. Vold: "Let me know, as soon as you can, what you think we might get worked out between now and the 20th of January. You might also let me know when you expect Oscar to be back in Bismarck." Did Mr. Peet get in touch with you afterwards with whatever he had in mind on that?

A. No, he did not. That just goes to show how dumb I am. I did not think that fellow was loyal. And I instructed the stenographers to make a second copy and I have learned later he used to come up and type letters himself. No copy was ever filed.

Q. I direct your attention to Committee's Exhibit No. 16, which purports to be a letter written by L. M. Peet to Otto Vold dated July 23, 1941, written in longhand on the stationery of the Farmer's Union Life Insurance Company.

A. Same answer. Personal and I have never seen it.

Q. You will note that in the body of that letter, Mr. Peet says, "Dear Otto: And he asks Mr. Vold if he can't arrange things so that the extra fire business for the Western gets through for payment so that he can have

it on the morning of July 31. Mr. Peet's interest in the matter was not specifically called to you at once?

A. That's right.

Q. And he says, "I have postponed the Director's Meeting so that I can submit a plan to them and have the cash to back it up on that date. Write me on your return to the office and let me know what you can do. I have visited with Oscar on the subject and I wish you would talk to him." Now, with respect to the last sentence, he says he visited with you on the plan he proposes to submit.

A. I haven't any plan or anything in mind that would indicate that he ever visited with me.

Q. You don't know what he is talking about when he says he proposes to submit a plan?

A. That's right.

Q. And he also mentions that it is necessary that he have the cash to back up the plan and he connects that up with additional business to the Western.

A. That is true, but you can put two constructions on that.

Q. I am asking how it appears to your mind.

A. It would appear he has reference to the commission on hand.

It also can mean that he has postponed the meeting in order to have cash at the time of the meeting.

Q. Do you understand from his remarks that he is talking about the Directors of the Farmer's Union Life Insurance Company?

A. Yes.

Q. And he connects some plan with cash that—

A. I wouldn't go that far. That is drawing an inference. And I am not here to draw conclusions or inferences.

Q. Is there some other construction that is more reasonable?

A. I think there is other constructions just as reasonable. He is talking about—that is, he is talking about postponing the meeting and I wouldn't have any idea how he expects to raise cash but those things are done every day in business.

Q. Would you say he intimates that he is dependent upon additional insurance business being sent to the Western?

A. I wouldn't go that far.

Q. He also makes a point so that he can have the money by July 31. You would say that he is referring to the insurance business?

A. Yes, you might have that inference. Here it might refer to postponement of the Director's meeting.

Q. I will read the first sentence: "Can you arrange things so that the extra fire business for the Western gets through for payment so I can have it on the morning of July 31." Do you think there is any connection between his concern about getting the insurance business to the Western by the morning of the 31st, and his plan with the Director's of the Farmer's Union?

A. I don't know.

Q. Now, then, in each of these letter I have just shown you, Mr. Peet and Mr. Vold discussed business; that is, reinsurance business with the Westerns?

A. That's right.

Q. How can you explain what Mr. Peet's concern was with getting reinsurance business to the Western's?

A. I can't explain it because I don't know.

Q. Don't know why he was so concerned with it? His letters show he was concerned while he purported to be an officer of the Life Insurance Company.

A. Being that the letters are all addressed to Mr. Vold, and which I haven't seen, I wouldn't know what the—

Q. Two of the letters are addressed to you—Exhibit 14 and 19 is addressed to you.

A. That's right.

Q. What reason would he have for writing you if he did not expect you were one of the important partners?

A. He perhaps thought he could get Mr. Vold to get some insurance for him.

Q. Do you think there was any underhanded scheme or any scheme between Peet and Vold so that Peet could get his hand on some of the commissions?

A. Wouldn't go that far, but when a man is broke and comes out with a \$10,000 building paid for and a brand new Buick car, you get suspicious.

Q. You are talking about Vold?

A. Yes.

Q. I am talking about the other party, and that is Mr. Peet.

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A. I have no idea what his connection was with Mr. Peet if at all.

Q. You don't suspicion Peet and Vold working together for their mutual benefit, or do you?

A. I don't want to be put in a position of suspicioning anybody.

Q. Perhaps not. I am just asking for your construction of these letters about reinsurance business for the Westerns with which he wasn't specially connected.

A. That's right. Not being familiar with any of the letters or the dealings or the connections between Mr. Peet and the Western, I hesitate and I just can't give any conclusions.

Q. You can't reconcile Mr. Peet's interest as shown by this correspondence with his apparently non-connection officially with these Westerns?

A. I will say this for Mr. Peet—he is a very peculiar man. He is a man that meddles in a lot of things perhaps not exactly his own. As soon as he told me one time himself that when the government of Georgia kicked out all the State Officials and all the Bonding Companies in the United States refused to bond the new officials, he got this Western Mutual to go bond for all the appointed officials. There may be some connection between him and the officers of the Western that I don't know anything about.

Q. Do you recall you and Vold meeting in Kansas City in the early part of January after you had been to Excelsior Springs?

A. No, sir.

Q. I believe you told us yesterday that a man by the name of C. C. Otto, Underwriter for the Westerns, had something to do with arrangements for reinsurance business for the Westerns.

A. That's right.

Q. You were acquainted with him?

A. I met him here in the office.

Q. I wish to direct your attention to the first paragraph of Committee's Exhibit No. 20, which purports to be a letter written from C. C. Otto, underwriter of the Western Insurance Companies, to Mr. Vold, dated January 7, 1939, in which in the opening sentence he makes this remark—well, I will show you the letter. "Dear Mr. Vold: You will remember our conversation in President Duboc's office when you were in Kansas City in company with Mr. Erickson and Mr. Peet about December 1, with regard to what proportion of the pro rata

reinsurance we might be able to handle when it comes up August 1." Do you recall a meeting held with Mr. Otto in Duboc's Office?

A. I don't remember.

(Hands paper to witness)

Q. Just read the first paragraph.

A. I still can't remember being in the office with those fellows. I may have been there. I am not saying I wasn't.

Q. If you were, can you account for Mr. Peet's presence there since he wasn't connected with those companies, apparently?

A. No unless he just happened to be there, I understand, as a personal friend of Duboc's.

Q. Did you find any records since yesterday afternoon bearing on the business of the new Capitol Cafe?

A. Yes. I found one item here. It appears that I paid Mr. Vold \$670.75 on January, 1940.

Q. What would that be for?

A. I don't know. It is so long ago, I can't remember.

Q. That is, you don't recall whether it was a share of his interest in the property?

A. No, I don't. My recollection is that it was for one-half interest.

Q. Well, his final 30% interest was purchased by Mr. Gehring?

A. That's right. I have a copy of the contract.

Q. Does that show the consideration paid to Gehring?

A. I think it does.

(Erickson hands paper to Shafer)

Q. From the information contained in the Bill of Sale in your possession, which purports to have been executed by O. R. Vold to Arthur Gehring, will you state what the consideration appears to be?

A. \$642.84.

Q. Have you got any records that show at any time the financial condition of the Cafe?

A. No, I couldn't—I was unable to find Mr. Chernich's audit.

Q. You don't understand that Miss Beth Murray has records that bear on that?

A. She hasn't.

Q. I show you Committee's Exhibit No. 4, which purports to be a financial statement of

the new Cafe business as of January 1, 1944, which was offered in evidence in this investigation the other day and ask you to look at it.

A. That is an audit made by Mr. Vold.

Q. That is correct—and submitted by him to this Committee. You will note that in this statement with respect to the assets of the business, he shows Furniture and Fixtures, \$4945.98, less a depreciation of \$494.60. And also Stock Inventory of \$750.00, Accounts and Meter Deposits, \$18.60. From that statement, can you enlighten the Committee any further as to what the total investment of yours and Mr. Vold's was during that time?

A. I still say it is less than \$1500.

Q. You mean the original purchase price?

A. That's right.

Q. That is based on an estimate?

A. Well, I think it is awfully close to—I think it is as close as you can get.

Q. If that is true, each of you furnished one-half of the money?

A. That's right.

Q. You didn't loan Vold any money?

A. No.

Q. And he didn't loan you any money?

A. That's right.

Q. We were informed by Mr. Vold that the original purchase price was \$2300, and that additional amounts were invested for various things and improvements bringing the total investment up to some \$6300. You don't agree with that?

A. No, I don't agree with him on that.

Q. Are there some improvements involving additional money?

A. They come out of the earnings.

Q. You didn't put any more money in it?

A. No.

Q. You don't think he did?

A. No. I remember one time we had \$1500 in the bank and Mr. Vold pretty near wore out the floor between my office and his wanting to draw it out.

Q. At different times?

A. Yes.

Q. Did you draw it out?

A. I did not. In time I did. Just to be a little ornery I held back.

Q. During the time you and Mr. Vold were associated together in the business between June, 1940, and I guess it would be April, 1944, did you and he draw as much as \$1500 in income?

A. Yes, I think we did.

Q. You drew the largest proportion since you held larger shares after your purchase in 1941?

A. Mhm. I might say that share was purchased out of the earnings because he said he had to have some money and I had money in the bank. My share went toward buying more of his equity.

Q. That is, you got the money out of the earnings for that purpose?

A. That's right.

Q. Now, Mr. Erickson, Mr. Vold told us that some—the amount paid was \$1,000 even.

A. For what?

Q. For that share reducing his share from one-half to one-third.

A. No, I don't think it was that much money.

Q. What would be your judgment?

A. I don't think it was over—it was less than \$500. I can't give you the exact amount.

Q. Whatever it was, it was taken out of the funds in the business?

A. That's right. Because I was more anxious to sell than to buy. I am not a restaurant man.

Q. You are still a restaurant man, however?

A. It is for sale, though.

Q. I understood you yesterday to tell us that Mr. Vold did not have anything to do with raising any money for you in connection with the purchase of the house on 7th Street.

A. That's right. I had an itemized statement. I spent about two hours last night trying to hunt for that statement.

Q. Payment . . . Investment . . . Interest in that house?

A. That's right. If the committee wants it, I am sure Mr. Jackson will furnish a duplicate.

Q. You remember being ill in the St. Alexius hospital during that time and you had an operation or some other illness and Mr. Vold visited you in connection with your stay at the hospital?

A. When was this? I have been in the hospital so many times.

Q. \*I believe I said in 1939.

A. Do you mean to say he visited me with reference to paying hospital bills?

Q. No, he claimed to have visited you while you were in the St. Alexius hospital while you were ill and the matter of his raising money for your benefit was the subject of discussion.

A. No, sir. I will grant you he visited me in the hospital. I will grant he bought a small Crosley Radio and gave it to me, but if he says he raised any funds, I never saw them.

Q. If he claims that on such occasion, you asked him to raise \$1,000 for the purpose of applying on what has been referred to as additional salary, you would say he is wrong about that?

A. Absolutely.

Q. May I show you a paper marked "Exhibit No. 42", particularly the pencilled memo at the bottom of that memo?

(Hands paper to Vold)

(Continuing) Is that in your handwriting?

A. Yes, but I don't know what it is about.

Q. That does not refresh your memory with respect to anything?

A. No, it don't.

Q. The memo, which I understand you to say is in your handwriting, is as follows: "See if you can raise me \$1,000 by the 17th on salary."

A. I don't recall anything about that and let the record show that is not addressed to anybody in particular. It is just simply a note that Mr. Vold has picked up off my desk that may be a memo from somebody that was in the office asking me to help them raise some money on their salary, which happened quite frequently.

Q. For your information in order that you may not be misled by the nature of the questions, Mr. Vold testified that this memo was—that is, the memo in pencil—was written by you on Exhibit No. 42, in the hospital, when you and he were discussing, so he said, how you could arrange an additional thousand dollars on salary.

A. That is not true because at the top also in my handwriting in ink is the name Oscar Hagen Matter, and Jim Bothne, and Pay old account—Commission. Now what he had rubbed out here, I don't know.

Q. Is the matter in Mr. Vold's handwriting?

A. No, it isn't. This is just simply a paper off the memo pad and on my desk.

Q. You think he got it off your desk? It wasn't prepared in the hospital?

A. That's right.

Q. In Committee's Exhibit No. 40, which purports to be a letter written by you, to Mr. Vold at St. Paul, on September 1, 1941, appears the following language in the first paragraph, and I will read it. (Reads) "Dear Otto\_\_\_ Several times you told me you were my banker and for me when in need to call on you. Well, facts are, I am going to need \$2500 the next few days so bad I have not been able to sleep the last night or two. I did not want to bother you, but if you can arrange for a loan for me for that much, it will be a great favor." What were you talking about there?

A. I think I was talking about a loan. He used to tell me that any time I needed some help, he could arrange to get it for me.

Q. Was anything done pursuant to your suggestion?

A. No, it was not.

Q. Did that relate to money you thought you needed for redemption of your farm?

A. No, that had to do with money to supply the Leader with some cash.

Q. Supply the Leader? That is what you needed a loan for?

A. That's right.

Q. You were at that time operating the Leader as publisher?

A. That's right.

Q. During the time that Vold was in St. Paul, the Fall or Summer of 1941, which was several weeks as I understand it, did you look after the supervision of the Cafe in Bismarck?

A. No, I hardly ever was in the Cafe during that time.

Q. Did you buy various fixtures and other property for the Cafe at all that time?

A. I think I arranged for some boots at some time.

Q. Boots?

A. Yah.

Q. Do you remember the Kline Lumber Company as being the company that furnished considerable building material for the additions and improvements to the Cafe?

A. I would think that the Klein Lumber Company furnished some material for the wall, if I remember right.

Q. I direct your attention in this connection to Exhibit 30, which purports to be a letter from the Klein Lumber Company addressed to you on February 12, 1941, to which there is attached a statement of account and an itemized statement of the material account.

(Hands papers to Erickson)

A. I think that is right.

Q. Did you arrange for the payment of the account?

A. I don't remember.

Q. The account was paid, though?

A. Yes.

Q. And out of the funds of the Cafe?

A. I am sure it was.

Q. May I direct your attention to Exhibit No. 33, which purports to be a letter written by yourself to Mr. Vold on August 8, 1941, especially the third paragraph thereof, which seems to relate to the operation of the Cafe business.

(Hands paper to Erickson)

A. I think that is right. I might—for the Committee's information, I might state that this Betty Lofthouse was Mr. Murphy's daughter by marriage and worked under Mr. Vold in the department.

Q. As an employee of the Fire and Tornado Fund?

A. That's right.

Q. May I direct your attention to Committee's Exhibit No. 32, which purports to be a letter written in longhand by yourself to Mr. and Mrs. Vold at St. Paul on October 26, 1941, and a copy of a letter of October 28, 1941, from Otto Vold to yourself in reply thereto: I ask you to note particularly those paragraphs which are marked in pencil on the margins.

(Hands papers to Erickson)

A. I would like to read these into the report. (Reads) "Otto, that old kitchen stove gave out almost completely Friday so I junked it and bought one from the Gas Company here for \$120.00 plus tax. We will pay \$31.00 down and \$10.00 a month until paid. I believe I got a good buy." And it goes on to say, "We buy this stove with no broiler, but a broiler can be added as a separate unit, but Mrs. Schmidt thought we could get along without it for a

while at least. Then the bottom rusted out of the dishwashing tubs. Agnes had French and Welsh over to fix it—put a new bottom in. Rumors are again that the Cut Rate is going to put in Lunch Counters—that the owners have a young chef from the G. P. there. I am watching if I see signs to have a talk with him. If need be, we can move out—get a better deal right north of the Meat Market.”

Yes, I may have written that and don't see anything wrong with it.

Q. Nothing wrong with it. Merely direct your attention to it as participating in the cafe business during Mr. Vold's absence.

A. That's right. Somebody had to take charge. Remember at that time, Mr. Vold had had a stroke.

Q. Did he have that stroke in Minnesota at the Lake?

A. Yes.

Q. About September, 1941?

A. I think so. It was while he was on the examination of the St. Paul Fire and Marine.

Q. I direct your attention to Committee's Exhibit 25, which purports to be a letter from yourself to Mr. Vold at St. Paul, dated August 3rd, 1941.

A. I think I wrote that. He was in St. Paul where he could buy moving picture films and could get them there.

Q. May I direct your attention to the second paragraph of that letter: "L. M. felt rather peeved that he should be the one to have to wait. Thought certain parties in Bismarck could have waited a few days with less inconvenience than he." Was the L. M. referred to L. M. Peet?

A. Possibly.

Q. If so, what was he offended about at that time?

A. I wouldn't remember but I would think it would be some dealings he had with Mr. Vold.

Q. Involving reinsurance with the Westerns?

A. Possibly.

Q. You wouldn't know of any other matters that he would have to wait?

A. Mr. Vold had a lot of dealings about different things and different matters.

Q. Involving Mr. Peet?

A. Could be.

Q. I am endeavoring to connect Mr. Peet's interest in affairs at Bismarck.

A. I do know that one time he was interested in buying a piece of land this Life Insurance Company had. It would be hard for me to definitely say, it was reinsurance.

Q. Or what it was he was talking about?

A. That's right.

Q. This does indicate he called you on the long distance phone in Des Moines and you were commenting on it in this letter to Mr. Vold?

A. That's right.

Q. I direct your attention to Committee's Exhibit No. 34, which purports to be a telegram from yourself to Mr. Vold, dated November 28, 1941.

(Hands paper to Erickson)

A. That's right. I think that telegram would indicate that Mr. Vold was the manager and had charge of the rentals, buying, and so forth at the Cafe.

Q. Of course Mr. Vold had been gone for several months then.

A. That's right. Nevertheless, the telegram indicated that we did not do any business without consulting Mr. Vold.

Q. Of course you were partners. You would naturally consult each other. I believe you told us yesterday you were not interested in any way in the proposition to buy this college building in St. Paul.

A. That's right.

Q. Did you know Mr. Vold took a sixty-day option on the purchase of that property?

A. I think he told me that.

Q. It was an option for your joint benefit—for you and Vold?

A. No, I wouldn't say it was. Mr. Vold told me like he has you, and like he has Mr. Kelly, trying to convince me it was a wonderful opportunity to make some money, but I had no money to invest.

Q. Was the object to interest you in going in on the deal? Did he understand you were going in on the deal?

A. I don't think so. As Mr. Johnson told me, at no time did he make any inference or reference that I had anything to do with it.

Q. I show you Exhibit No. 46.

A. That's right.

Q. That is a telegram from yourself to Otto Vold reading as follows: "BETTER GET SIXTY DAY OPTION AND UNDERSTANDING. NO WRECKING BEFORE JULY."

A. That's right.

Q. How do you account for that wire if you were not to become interested or if you were not in with him in the deal?

A. I think I can explain that. I am going to go around so as to lay a groundwork. Mr. Vold used to get some bright ideas on how to make some easy money. If you have Mr. Reich's understanding, I think he will tell you about one time that he took him out for several rides, and he called him at the office a number of times, practically insisting that he go in business with him, buying an old log cabin set north of town several miles and go in the chicken business. Mr. Vold has a habit, when he has a bright idea, to take a man out for a ride and he will try to sell him that idea and sometimes it is easier to partially agree with him rather than to get in an argument with him because he has a moody, despondent makeup, and for days and days afterwards, probably a week, he won't speak to you. And I had to get along with him in that department so rather than to discourage him entirely, I would play along and tell him I might be interested in those buildings.

Q. He may have thought that you were in with him; at least, that you planned to go in with him.

A. I don't know what he thought, but I can mention a time when he took me for a ride to Mandan. He took me over there to sell me the idea of a couple factory-built cafes and brought me back to Bismarck and showed me some wonderful locations and showed me some buildings that could be bought and leased for a number of years—showed me the lots between the Cut-Rate Drug Store and the (——) Drug Store that would be a wonderful place to put up a building. I agreed with him. It all looked good and my final answer was :But where is the money coming from to do it. I haven't got it.

Q. At the time you sent this telegram in anyway, he found you were interested sufficiently to give him advice both as to the renewal of the option and as to when the wercking of the building there should begin.

A. He probably wrote me a letter insisting on some kind of an answer and I think that was the best way out of it.

Q. I call your attention to Committee's exhibit No. 28, which purports to be a letter from

H. E. Wildfang, Cashier of the State Bank of Burleigh County at Sterling, dated August 27, 1941, and to which there is attached what purports to be a promissory note of \$400, dated March 19, 1941, and containing the names of Agnes Shirley, O. R. Vold and Oscar E. Erickson as signers.

(Hands paper to Erickson)

A. That was money borrowed when we put in the Cooling System at the Cafe.

Q. You and Miss Shirley and Otto himself signed this note?

A. That's right.

Q. Was the note afterwards paid?

A. Yes.

Q. Now, at that time you and Mr. Vold had a fifty per cent interest each in the business if I remember rightly. That is, as of the date March 19, 1941.

A. I can't remember that, George, but the note was paid out of the earnings of the Cafe, so I don't think that is material.

Q. Did you or Mr. Vold buy any personal cars from or through the Blaisdell Motor Company of Minot?

A. I never did.

Q. Do you know whether Vold did or not?

A. Yes, he did.

Q. Do you know how many?

A. No, I don't know how many. I know he bought one. That is the time he shipped his second wife west. He give her the old car and bought himself a new car.

Q. Anyway, you didn't get any cars through Blaisdell?

A. No. My cars have all been bought through Corwin-Churchill. (Continuing) I have here a letter signed by the Assistant Manager of the Fire and Tornado Fund. This affidavit was—

OWENS: Maybe you better wait till they ask you questions.

SHAFER: Q. You have an affidavit?

ERICKSON: A. I have an affidavit signed by Robert Strutz, Assistant Manager under Mr. Vold, where he was called up to the office late at night, somewhere between ten and eleven, of where he was called by Mr. Vold to come up and sign two checks or warrants—one of them made payable to Blaisdell Motor and the other one to, McKoane (?) at Minot. The reason

he said he had to have them signed tonight—he was going to Minot with Mr. Blaisdell. I didn't see him come back with a new car, but I think you can get witnesses here that will tell you that he brought back a new Plymouth car the next day.

Q. If Mr. Vold has stated to this committee that you acquired two Plymouth Cars from the Blaisdell Motor Company, he is mistaken?

A. That's right.

Q. Was there any reinsurance business given to J. C. Blaisdell, Sr.

A. The father?

Q. Senior Blaisdell. Was there reinsurance given?

A. That's right. That is what this affidavit states.

Q. Is there any connection, if you know? Or do you think there is any connection between that reinsurance business and this car deal?

A. I can't say. That is just another conclusion. There is no proof to that.

Q. Is it a conclusion of yours that there was a connection?

A. I honestly believe there was. Why should it be necessary to urge you to draw a check in the middle of the night payable to Blaisdell Insurance Agency?

That would be for the payment of premiums on reinsurance to the Blaisdell Insurance Agency which was run by Mr. Blaisdell, Sr.?

A. That's right.

Q. Mr. Blaisdell had his agency in the garage and was a partner of the Blaisdell Motor?

A. That's right.

Q. They had an Insurance Agency and a Motor Company?

A. I understand the Insurance Agency was in the father's name and the Motor Company is not only the senior but at least two of the Blaisdells are in the Motor Company.

Q. But the Insurance Company was handled in the name of the father so that this check which is for premiums, was paid to the insurance Agency, and you think it had something to do with the manner in which Mr. Vold financed the purchase of this car?

A. That is just the thought.

Q. If, for instance, Mr. Vold has stated that the manner this was handled was in the way

you stated in general, suppose that after the premiums were paid to the Blaisdell Insurance Agency, the commission was turned to the Motor Company and credited in on the purchase of a car.

A. That is not possible, because you can check in the Motor Registrar's Office and you will find my purchase came from Corwin-Churchill.

Q. Suppose we will leave you out of it. Would you say it was probably correct that Vold was the purchaser of the cars in question?

A. The Registrar's office would still show. It would show who bought the car.

Q. You don't think Vold had the money with which to buy a new car himself?

A. I am satisfied he did not.

Q. Therefore he would have to get the money by persuading Blaisdell to give him the benefit of the commission of this reinsurance?

A. I think so. Because at that particular time, Mr. Vold was very hard up. He was trying to effect a settlement with his second wife.

Q. If so, you weren't a party to it and you did not get any cars on that basis?

A. That's right.

Whereupon a short recess was called.

Meeting Called to order by Senator Page after adjournment.

PAGE: You may proceed.

ERICKSON: I offer now an affidavit to appear in my testimony which is an Affidavit by Ralph D. Strutz, stating that he was employed as Chief Clerk and Assistant Manager of the North Dakota State Fire and Tornado Fund.

(Mr. Erickson's Exhibit A marked for identification)

PAGE: Do you wish to offer in evidence Exhibit A?

ERICKSON: I do.

SHAFER: You may read the affidavit to the Committee.

ERICKSON: (Reads) We have the two checks here. I have a receipt for them.

Q. Do you know anything about the transaction?

A. I don't.

Q. Did you read about it afterwards?

A. I did not until just recently.

Q. Ordinarily the checks of this character would be signed by yourself as Director of the

Fire and Tornado Fund and Mr. Vold as Manager?

A. That's right.

Q. But in this instance, Robert H. Strutz signed in your place?

A. During all the time he was in the office, those are the only checks he did sign.

Q. Did he have a right to sign those checks?

A. No. The authorization was to Beth Murray. Mr. Robert H. Strutz was off-base when he signed those checks at the insistence of Mr. Vold. He even called the Attorney General. Mr. Vold insisted that he would be out that night and maybe he better sign them.

Q. He had no authority?

A. No.

Q. For any other checks?

A. No.

Q. Is he with the department now?

A. No, he is at Ellendale.

SHAFER: Q. May I suggest to the committee that Mr. Erickson be permitted to furnish photostatic copies of these two checks for the record and when they are furnished, we will identify them as exhibits.

PAGE: That would be much better.

SHAFER: Will you keep the originals in the files?

(Hands checks to Erickson)

Q. Where did Mr. Strutz sign that affidavit?

A. In our office. He was up and stopped in for a visit and happened to tell me about it and I asked for the affidavit.

Q. Will you give us in some detail the manner in which the purchase of the house on 7th Street was financed. You claim Vold had no connection whatever?

A. That's right.

Q. Would you mind stating the situation with regard to other houses in Bismarck?

A. I would have to go and start way back. It is—really, I would be glad to give you the entire details as far as that goes.

Q. I may not be interested in the details. Do you own other houses?

A. Yes, I own two other houses, 704 Avenue F, and the other one is 703 8th Street. back of the high school.

Q. When did you acquire those houses?

A. I have had it for several years.

Q. They were both acquired since you became Insurance Commissioner?

A. Oh, yes.

Q. Do you remember offhand the total purchase price of each?

A. I think they were both—the Avenue F house was a trade, and I think you know yourself when you trade, you put a little more value on it than where you buy outright for cash.

Q. You mean on the house you traded or on the house you bought?

A. Both.

Q. Inflationary values?

A. That's right.

Q. Taking that in consideration, if you will remember what they are.

A. I bought a house from Ed Hughes, which is 704 7th Street. I put \$200 in it. The balance was a Federal Housing Loan of \$6,000. I put on two coats of paint outside and then I traded it for the 704 Avenue F house at a price of \$6500.

Q. That is the house you traded for—the Avenue F house?

A. (Nodding) So I had a \$500 equity in that house. I simply traded even but assumed the Gate City Loan that was on the 704 house.

Q. There was a mortgage on the Avenue F house that you assumed. How much was that?

A. I don't remember. Something like \$2500—\$2000. Something like that.

Q. Has that been paid?

A. Yes. Just finished paying this fall.

Q. Has that house been rented?

A. Continuously.

Q. You don't live in it?

A. No.

Q. What about the house on 8th Street?

A. Well, in either 1939 or 1940, there was a fellow started out from Jamestown with a trailer house on an old car, and he was killed coming up the hill out of Jamestown. The car and trailer house was brought to Bismarck. I bought it for \$150, repaired it up, painted it up, then I traded it at \$700 to the Hall Company at Underwood as a down payment on a small house on 9th Street. I repaired that house a little and painted it up and rented it

for a number of years. This summer I sold it to Anton Larson for \$3400. I turned right around and bought the house on 8th street for \$3500 and used the money on the one house to pay for the other.

Q. There is no indebtedness against that?

A. No.

Q. Was that all the properties you own at Bismarck, those three?

A. Yes.

Q. Have no apartments?

A. No, sir.

Q. Or from or through the Murphy Insurance Agency?

A. No, sir.

Q. Or either of the Koch's?

A. No, sir.

Q. Or any of the insurance companies doing business with the Insurance Department?

A. None, whatsoever.

Q. Did you do any financing through this Gate City Mortgage with anybody else?

A. No.

Q. That is, you did not borrow from any individuals?

A. No.

Q. I suppose this 8th Street House has been rented?

A. Continuously.

Q. There is good demand for rented houses in Bismarck?

A. Yes, I could increase my rent by ten or fifteen dollars and get it.

SHAFER:

I think that is all I have in mind at the present time.

Whereupon meeting was adjourned to 3:30 p. m.

January 24, 1945. 3:30 P. M.

Meeting called to order after recess. Appearances were as follows: Committeemen Thatcher, Bagge, Callahan, Bymers, Page, Johnson; George Shafer, Counsel for Committee, George Kelly, representing the Auditing Firm of Ernst & Ernst, and Oscar E. Erickson with Counsel O. T. Owen and W. J. Austin and Grace Valders, stenographer.

JOHNSON:

Are you ready for the question? All in favor of the motion, which is not to give to Mr. Erick-

son the Audit Report, all in favor of that motion, say aye.

(Vote Taken)

Let the record show that all were present with the exception of Senator Bridston and the vote was four against, one for, chairman not voting.

SHAFFER: Q. In this morning's session, Mr. Erickson, you exhibited to the Committee two original checks by the State Fire and Tornado Fund?

ERICKSON: A. That's right.

Q. No. 5817 and No. 5818, respectively, signed by Robert H. Strutz and O. R. Vold?

A. That's right.

Q. And you offered to provide the committee with photostatic copies of those checks?

A. That's right.

Q. You now present these as Oscar E. Erickson's Exhibits B and C respectively, as such photostatic copies?

A. That's right. There are four separate photostatic copies showing the front of the check and the endorsements.

(Oscar E. Erickson's Exhibits B and C marked for identification)

Whereupon meeting was adjourned.

January 25, 1945. 9:30 A. M.

Meeting called to order after recess.

Beth Murray appeared pursuant to subpoena, with records of New Capitol Cafe which were examined by Committee Members. Other appearances were as follows: Attorney Austin and Attorney Owens, Grace Valders, stenographer for Oscar E. Erickson, and Committee Members Bagge, Callahan, Bridston, Bymers, Page; also Attorney George Shafer, Committee Counsel, and George Kelly, representing the firm of Ernst and Ernst.

Senator Bridston, Chairman.

BRIDSTON: Miss Murray, do you want the presence of these two attorneys, Owens and Austin, as attorneys for you?

MURRAY: Yes.

BETH MURRAY, being first duly sworn, testified as follows:

Examination by Mr. Shafer

Q. Your name is Beth Murray?

A. That's right.

Q. You are an employee of the State Fire and Tornado Fund?

A. Yes, sir.

Q. In what capacity?

A. Cashier.

Q. How long have you served in that capacity?

A. I can't say just—I forget when I received the title of cashier, but I have worked since 1935.

Q. Somewhere along the line, you have acquired the title?

A. Yes, sir.

Q. Have your duties changed during the years?

A. No, they have been just about the same.

Q. That involves keeping books with respect to the disbursement of money?

A. Yes, sir.

Q. You are an experienced bookkeeper?

A. Yes, sir.

Q. Have you had occasion to keep certain books and records for a business enterprise known as the New Capitol Cafe?

A. Yes, sir.

Q. And how long have you performed that function?

A. Since July 7, 1941.

Q. From whom did you take over that task?

A. Mr. Vold.

Q. Mr. O. R. Vold?

A. That's right.

Q. Did he keep records pertaining to this business prior to that time?

A. Yes, sir.

Q. In general, what is the nature of the record?

A. It is the record of the disbursements and the income.

Q. Is it in a book with ledger columns?

A. Yes, double entry ledger columns.

Q. And do you have before the committee now the original record referred to?

A. Yes, sir.

Q. Now, will you state for the committee's information when that record commences?

A. June 5, 1940.

Q. And carries through to the present time?

A. That's right.

Q. Now, between June 5, 1940, and July 7, 1941, in whose handwriting, if you know, was the record kept?

A. Mr. Vold's.

Q. You are thoroughly familiar with his handwriting and you have looked through the record and you know it is kept in his handwriting?

A. Yes, sir.

Q. On July 7, 1941, he turned this record over to you with the understanding, I presume, that you would carry it on thereafter?

A. I guess that understanding was that I was to carry it on during the time that he wasn't here and when he came back, I still carried it on.

Q. He was gone several months?

A. Yes, sir.

Q. After he returned, you continued to keep the records?

A. He left them with me.

Q. Will you state for the information of the committee what financial information is set forth in the record book? I don't mean the details now—I mean what transactions your records show.

A. By that do you mean—all that I have had charge of is the disbursements and the income.

Q. To begin with, the record shows the investment account?

A. That's right. But I have nothing to do with that.

Q. I am talking about what the record shows. It does show the investment account?

A. That's right.

Q. And turning back to the first entries with respect to the investment account, will you state to this committee what the original investment appears to be and as of what day?

A. \$1200 on June 5, 1940.

Q. Even \$1200?.

A. That's right.

Q. Does the record show the deposit of that sum?

A. It shows two deposits—one of \$1,000 and one of \$200, both on the same day.

Q. Subsequent to that time, there were additions made to that investment account?

A. That's right.

Q. Without going into the details as to the amounts and time, what did the investment account show at the time you took the books over?

A. \$6,000.

Q. And those amounts were placed on the record by Mr. Vold, were they?

A. That's right.

Q. You don't know anything about the accurateness or inaccuracy of the records yourself?

A. No, I don't.

Q. As of January 1, 1944, what does the investment account show?

A. \$4,911.55.

Q. Is that approximately the amount of the investment account as of the last record?

A. That's right. That would be as of today.

Q. Now, after you acquired the record, I suppose you kept the same type of records as have been kept before as regards to entries, receipts and disbursements?

A. That's right. As taken from the daily slips.

Q. From whom?

A. Miss Shirley or Mrs. Glock from the Cafe.

Q. She has acted as the financial manager through all these years?

A. That's right.

Q. How did the slips come to your hands?

A. I pick them up once a week.

Q. You began that practice in 1941?

A. That's right.

Q. The slips would cover what?

A. The cash sales for the day, the payouts, and the sales tax.

Q. And those payments were evidenced by checks?

A. I think that would be the cash payouts from the till.

Q. You also keep a record of the disbursements by check?

A. Yes.

Q. And you get that information from where?

A. From the checkbook and the deposit book in her possession.

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- Q. Is the checkbook in her possession?
- A. That's right.
- Q. You have nothing to do with the writing of the checks or making the entries in the check book? You simply post the data from the book to this record?
- A. That's right.
- Q. You received possession of the cancelled checks and monthly statements?
- A. Yes, I did.
- Q. You have those?
- A. Yes.
- Q. How far back—for the whole period?
- A. I suppose they are up there for the entire period, but I have them from the time I took over?
- Q. You haven't checked particularly to see if that was there for the whole period?
- A. No, I haven't.
- Q. But you have statements and cancelled checks for the period prior to which you have taken over?
- A. I wouldn't say that because I don't know. Prior to the time I took over? I think I have.
- Q. Anyhow, you know you have them since?
- A. Yes.
- Q. You don't know you have them for the previous period? You are not sure of that?
- A. No, sir.
- Q. To whom, in connection with the operation of this business, do you acknowledge responsibility?
- A. To Mr. Vold. Nobody has asked me. I have just kept the books.
- Q. You have got a job and kept on there?
- A. That's right.
- Q. Until January, 1944, you did under his direction assume and exercise responsibility of the bookkeeping enterprise?
- A. That's right.
- Q. You have just continued on?
- A. That's right.
- Q. This record that he furnished to the committee would contain all of the receipts and all of the disbursements of the business as far as information that has come to your hands?
- A. That's right.

Q. Is there in the records some place a statement of the condition of the business at the end of the first fiscal year—that is, at the end of June 1, 1941, for the period of June 1, 1940, to June 1, 1941?

A. Yes, sir, from June 1, 1940 to June 1, 1941.

Q. That was placed in there during the time Mr. Vold was keeping record?

A. That's right.

Q. And as far as you know, that has been prepared by him?

A. Yes.

Q. Is there any other like statement for any other operating period?

A. Well, for January 1, 1944.

Q. Turning back to the first statement mentioned, would you read the items for the record and we won't need to make a copy—stating what each subdivision is beginning with the statement at the top.

A. (reads) Financial statement, New Capital Cafe, Bismarck, North Dakota, June 1, 1941. Resources: Cash and Cash Register, \$20.00; Furniture and Fixtures, \$4,252.83; Merchandise, \$900.22, Accounts Receivable and Meter Deposits, \$117.45, Undivided Profits Account, \$467.83, Total, \$5,758.33. Liabilities: Investment Account, \$5,500, Overdraft, \$105.86, Accounts payable, note due, \$96.19, reserved for sales till accrued, \$56.28, Total, \$578.33. Profit and Loss Account, June 1, 1940 to June 1, 1941. Debits and Credits: Building Rentals, \$1,420; Salary Paid, \$3,837.11; Miscellaneous Expenses, \$1,235.05; Gross Profits on sales in the credit column, \$7,310.67. Sales Tax Column, \$13.66. Net Profit for the year in the debits, \$832.17. Totals: \$7,324.33, Credit, \$7,324.33.

Q. Do you know of any other statement or condition of this business other than the two you have just mentioned?

A. Here is a Trading Statement in 1941, and the Capitol Cafe Financial Statement of December 31, 1941. It is signed M. H. Chernich. He apparently made an audit. These are Trade Statements he made up for the OPA for Mrs. Glock.

BRIDSTON: Mr. Kelly is requested to take off a detailed statement of the investment account shown in the record described by Miss Murray and of withdrawals from the business, if any, shown by that record by the owners of the business.

- KELLY:** In that connection, I might want to look at some of the cancelled checks.
- OWENS:** I don't see any objection to getting any information you want.  
Beth Murray, Owen T. Owens, W. J. Austin and Grace Valdiers excused from Committee Room at this point.  
Mr. O. R. Vold admitted to Committee Room.
- BRIDSTON:** Are you prepared this morning to make any statement in regard to the reinsurance placed with W. A. Hart or his Bismarck Insurance Agency?
- VOLD:** I have nothing further to report on that at this time. I would be glad to talk it over with Mr. Shafer before I discuss it for the record. I am not ready to say under oath that there was anything to discuss for the record. I would be glad to talk it over with Mr. Shafer at any time.

Examination by Mr. Shafer

**Q.** We have made some inquiries of Mr. Erickson regarding the car transactions with the Blaisdell Motor Company concerning which you testified the other day and we are told by Mr. Erickson in effect that he wasn't involved in any certain car purchase transactions and that he bought no cars whatever from the Blaisdell Motor Company or Blaisdell.

- VOLD:** A. Well, it is very possible that he did not buy his cars for himself, if that is what he meant. He certainly was involved in deals up there because him and I were both in Minot together and at the Blaisdell Company making the deal.

**Q.** You know, of your own knowledge, that he did acquire cars from the Blaisdell Motor Company for somebody and what the character of these cars were?

A. Well, like I stated before, the nature of the deal was this: That instead of paying the cash for the difference between the old and the new car, he furnished the reinsurance to Blaisdell himself.

**Q.** I understand that. That is not what I am referring to. I am referring to whether Mr. Erickson mentioned any cars at all, for himself or anybody else. He says he did not buy any cars at all, for himself or anybody else. He says he did not buy any cars at all from the Blaisdell Motor Company, and had no connection with the purchase or acquiring of any cars from that time.

A. You mean he himself, or members of his family?

Q. I can't answer for him. He said you might have gotten cars but he did not—did not know anything about it.

A. That is not true.

Q. Now we are interested in getting down to cases a little more specifically as to what cars, what kind of cars and when if at any time, Mr. Erickson obtained cars from the Blaisdell Motor Company for the account of anybody.

A. They were Plymouth cars.

Q. How many?

A. Well, as I stated the other day without referring to the record, I would say that there was two cars for him and two for me, without referring.

Q. Did you see those cars at the time they were acquired or afterwards?

A. Oh, yes.

Q. Where did you see them?

A. He bought the cars and drove it.

Q. In Bismarck and elsewhere in the state?

A. Yes, the only car that wasn't broken up and was his last car he has got, the Chrysler that was bought from the Corwin-Churchill in Bismarck.

Q. There wasn't any dispute over that. The issue is upon whether he was interested in getting any cars or got any cars from the Blaisdell Motor Company. He said he got no such cars and did not know anything about any such transactions.

A. But that is not true.

Q. You stay by your original statement that he got at least two cars for himself or members of his family and that he drove them here in Bismarck.

A. That is the way my memory serves me now.

BRIDSTON: Q. Was there any special arrangement in connection with the purchase of the Chrysler that he bought from the Corwin-Churchill Company?

A. Not that would connect directly up with the reinsurance, only that he did state about that time he had several bills including the difference that he had to pay to the Blaisdell Motor Company for that car which he wanted to get reinsurance placed for, but there wasn't any specific reinsurance placed for that deal.

BRIDSTON: Q. You said Blaisdell Motor Company?

A. I mean to say Corwin-Churchill.

Q. In other words, any reinsurance there would have to be placed through one of the regular agency connections and paid back to Mr. Erickson in the form of a kickback, in which transaction the garage itself would have no part.

A. That's right.

SHAFER: Q. Do you know a man by the name of Robert H. Strutz who worked for the Fire and Tornado Fund.

VOLD: A. He worked for the Bonding Fund.

Q. He worked under your direction?

A. That's right.

Q. Do you recall a transaction that he claims to have placed on the night of June 30, 1939, whereby two checks were issued on the Fire and Tornado Fund, according to his statement—one payable to J. C. Blaisdell, Sr., in the amount of \$1220.42 and another to J. E. Mc-Koane, in the amount of \$1577.62, which checks were signed by you as manager of the Fund and by Strutz according to his claim in lieu of Mr. Erickson?

A. I don't get if you mean the transaction with Strutz?

Q. I was referring to the transaction in this affidavit.

A. Without more information, Mr. Shafer, I don't recall the transaction, no—but I am satisfied that I will with the proper information.

Q. At the moment, you don't recall the transaction that Mr. Robert H. Strutz described in his affidavit marked Mr. Erickson's Exhibit A?

A. That's right.

Q. Without further information? (Continuing) In that connection, may I direct your attention to Mr. Erickson's Exhibit B, which purports to be a photostatic copy of the check to J. C. Blaisdell, Sr., which is described in the previous questions, and Mr. Erickson's Exhibit C, which purports to be a photostatic copy of the check to J. A. McKoane referred to in my previous questions.

A. I don't recall these checks, but the both checks are signed by myself as manager of the fund, so they are no doubt photostatic copies of the original check in the department. Now I would like to ask whoever turned these checks in to the committee here if they would not turn the vouchers in on which these checks were issued.

- SHAFER: In respect to that matter, it may be that Mr. Erickson produced the original checks of which these checks are photostatic copies without any voucher attached, and also he filed an affidavit in here which is identified as Erickson's Exhibit A.
- VOLD: I might state—I am addressing this to you, Mr. Kelly—that voucher should be signed by the Manager of the Department for proof of payment and then by Commissioner of Insurance, and that you will find that before these checks were issued and signed by Mr. Strutz and myself, that there were vouchers in the department that were signed and approved for payment by Mr. Erickson and myself.
- SHAFER: Q. That is what the record should show?
- A. I am satisfied that they do.
- Q. May I direct your attention to this particular aspect of these two checks; that is, the signature of Strutz in lieu of Erickson. That is an irregular way?
- A. It was unusual but certainly not irregular.
- Q. It was the practice of Mr. Erickson to sign all checks?
- A. Not necessarily.
- Q. Did somebody besides yourself counter-sign checks?
- A. You mean other employees? There had to be two of us to sign the checks but none of us could sign the checks—not before the voucher was approved by Mr. Erickson and myself.
- Q. That was the approval?
- A. Yes, sir.
- Q. Did this man Strutz ever sign any other checks with you?
- A. Yes, lots of them. Any two individuals in the department could sign these checks.
- Q. The appearance of his name is not of any special significance?
- A. None whatsoever. Nothing unusual at all.
- Q. Then to get to the bottom of the authority, we should have the voucher pursuant to which these checks were issued. There will be a voucher for each of these checks?
- A. That's right. In other words, you have only got part of the picture?
- SHAFER: Q. We have had presented this morning by Miss Murray the ledger record which purported to be the record of business transactions

of the New Capitol Cafe. It is a large record and it appears therefrom that the opening entries were as of June 5, 1940, in your handwriting, up to about July 7, 1941, and thereafter in Miss Murray's handwriting. That is the record you were referring to the other day as the accounts of the New Capitol Cafe?

A. That's right.

Q. Were there any other books of account other than that record and of course bank statements and cancelled checks in your office in the Fire and Tornado Insurance Fund? Were there any other books?

A. No, that consists of the records.

Q. That consisted of the entire bookkeeping setup?

A. That's right.

Q. Did Mr. Erickson ever see the contents of that record as it was being made and while it was in your custody?

A. Oh, yes.

Q. Did he take an interest in looking at the details so that he could know what the investments were?

A. I don't see no reason—.

Q. I don't want you to speculate.

A. The keeping of the record up to July, 1941, was left to me but on many different times, we had conferences about the condition of the place and as to the financial statement from that record and we would talk about that and particularly every time we needed some more funds in there.

Q. Would you say that Mr. Erickson himself saw the record from time to time?

A. I would say so.

Q. And that you furnished him statements from time to time as to the condition of the business and the condition of the investment account?

A. That's right. I might say in one of the letters that you have here which he wrote to me while I was in St. Paul, he mentions the fact that he was in and looked the record over and the sales—either going down or up, whatever it was. And the only record he could get that from would be that record which we are talking about now.

Q. We have been given to understand from Mr. Erickson as regards his part in the investment of that business, the funds did not come from any insurance commissions of Mur-

phy or anybody else but were individual funds provided by him from his other legitimate business enterprises.

A. Do you want my version of that?

Q. You have it. I am just indicating what the substance of his claim was in that regard and that is whether he furnished any money at all from his own funds that you know of.

A. He never did. Not one dollars. I fully appreciate I am under oath when I say it.

Q. You want the committee to understand that all of his share of that investment account and yours came from insurance kickbacks?

A. Every dollar of it.

Q. The Committee also was given to understand, as I understand it, in his testimony, that with regard to subsequent additions to the business after the initial expenditures, what he thought was around \$1500 came from earnings of the business only—did not represent additional investments by either of you.

A. That is a very interesting statement to me, because if you refer to the record which we have just talked about now, that book and those checks, you will find that right after we started the Cafe on June 5, 1940, that for months thereafter, each one of us drew so much every month out of the place of business and there is cancelled checks in there for all of it, so how could a fellow draw those earnings out every month and then have it in use for some other purpose?

Q. In other words, your claim in respect to that matter is that the earnings were withdrawn from time to time and that all of the additions shown in the record in the investment were made by you and Mr. Erickson from sources other than the income of the business?

A. That is correct. If you will refer to that record, you will find that those payments were made both to him and to me.

Q. Do they show certain amounts?

A. They run around \$50.00 a month.

Q. Does that record to which you refer contain a record of all the withdrawals made by you and Mr. Erickson up to January 1, 1944?

A. Complete records should show that.

**BYMERS:** Mr. Chairman: This book, Mr. Vold, or this ledger you kept the Cafe business in—where did you acquire that—is that something you purchased here?

A. That binder and the loose leaf that goes into it were purchased here in Bismarck?

Q. By whom?

A. They were either purchased by me for the Cafe or else by the girl down there but I would say they were purchased by me for the Cafe.

Q. And Mr. Erickson, was he familiar with a ledger of that sort being kept?

A. I would say so, yes.

BRIDSTON: Any other questions by any other members of the Committee?

VOLD: I am not a bit satisfied with the explanation to the Committee on these photographs or of these checks. I think that you only have a small portion of this story.

SHAFER: You have told us. We intend to call Mr. Erickson back.

VOLD: If that is the information given to you folks, and that was all the information you got, it was certainly done for the purpose of misleading the Committee.

SHAFER: The substance contained in Mr. Strutz' affidavit?

VOLD: Certainly at no time have I given any of that information to Mr. Strutz and when he says I was going to give the checks to Mr. Blaisdell for reinsurance, he must have assumed that from the looks of the checks. He certainly did not get it from me.

SHAFER: As I understand it, when I asked you before, the presence of these exhibits did not refresh your mind as to the circumstances. Have you thought of anything since?

VOLD: A. I would like to give this information: That many times in the office I have vouchers approved for payment on which no checks have been given and then for that Strutz was called in to sign these checks that particularly had no signature because that was done quite often. For these checks, there should be vouchers approved for payment by Mr. Erickson and myself.

SHAFER: As to the details he—Erickson—claimed to have no information. (Continuing) May I direct your attention to these statements in the Strutz affidavit wherein he says that late in the evening of June 30, 1939, O. R. Vold called the affiant by telephone and asked him to appear at once in the office of the Fire and Tornado Fund to sign two checks and later again in the affidavit he says that he was asked to sign them because Oscar Erickson was out of the city and it was necessary to sign these checks quickly as Mr. Blaisdell had to get

back to Minot that same evening. He was called to the office to sign these checks?

A. I can't remember, but if he was, there was nothing wrong about that. And the purpose of giving the checks—he must have obtained from the face of the checks which are self-explanatory. And regarding the matter of Blaisdell going back to Minot that evening, he must have referred to Blaisdell because Blaisdell, Sr., was never in the office.

THATCHER: Q. You put out a circular here, a little booklet, Mr. Vold?

A. Certainly.

Q. You paid for it?

A. Yes, sir. Exhibit No. 48.

Mr. W. A. Hart called to witness stand and after being first duly sworn, testified as follows:

Examination by Mr. Shafer

Q. Your name is W. A. Hart and you live in Bismarck, North Dakota?

A. Yes, sir.

Q. You are manager of the Bismarck Insurance Agency?

A. Yes, sir.

Q. Is that a corparation?

A. Yes, we have a corporation, but I am not doing business with the corporation now.

Q. Is there a corporation known as the Bismarck Insurance Agency?

A. Yes, sir.

Q. Did the Bismarck Insurance Agency, a Corporation, act as the agency through which you conducted your insurance business in prior years?

A. Yes, up till January 1, 1945.

Q. In other words, you are not using the corporate name now as the Insurance Agency?

A. That's right.

Q. You are using the corporate name but not the corporation?

A. We are using the Trade Name W. A. Hart d/b/a Bismarck Insurance Agency.

Q. In other words, you are using the corporate name as the trade name of your business now?

A. That's right.

Q. When did you take charge of that insurance business?

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A. February 1, 1936.

Q. And you have been the Managing Officer of it since?

A. Yes, sir.

Q. And has all the insurance business been done through that Agency?

A. Yes, sir.

Q. You did not do business in any personal capacity during those years as an individual?

A. No.

Q. Do you own the corporation?

A. Yes, sir.

Q. Who else?

A. I own it all except two shares.

Q. I mean the controlling interest,

A. Yes.

Q. There are two shares held by someone else for the purpose of completing the corporation setup?

A. Yes.

Q. Did this corporation do some business with the State Fire and Tornado Fund at any time?

A. Yes.

Q. Will you give us at the moment from memory during what years that insurance business was transacted?

A. Got some every year since I have been manager of the agency.

Q. That would be 1936, 1937, 1938, 1940, 1941, 1942, 1943, 1944?

A. Yes, sir.

Q. That would be reinsurance business for the State Fire and Tornado Fund?

A. Yes.

Q. Did you do any other reinsurance business for any other fund in that department?

A. No, I don't think so.

Q. You did not reinsure State Bonding Fund liabilities?

A. No.

Q. Just the Fire and Tornado Fund?

A. Yes, sir.

Q. And in doing that business, your agency —by that, I mean the Bismarck Insurance Agency, acted as the local insurance agent of

various companies that actually wrote the insurance policy, I presume.

A. Yes.

Q. That is to say, your agency is an agent of those companies? You are not an Insurance Company?

A. That's right.

Q. With whom do you transact your business in connection with those reinsurance transactions?

A. Manager of the State Fire and Tornado Fund.

Q. That would be whoever was manager at the time you were doing the business?

A. Yes, sir. I think while Hopton was commissioner, we got our reinsurance through Mr. Hopton.

Q. That was in 1935 and 1936?

A. Yes, I think it was 1936 anyway.

Q. He was elected in the fall of 1934 and only served one term?

A. (Nodding)

Q. He was succeeded January 1, 1937, by the present commissioner, Mr. Erickson?

A. Yes, sir.

Q. Did you transact any of this reinsurance business with Mr. Erickson as head of the Insurance Department?

A. I don't think so.

Q. Would that be just an impression you have in mind now, or are you sure of that?

A. I am reasonably sure of that.

Q. That would be Mr. Vold, of course.

A. Yes.

Q. At least, from 1937 to January 1, 1944.

A. Yes.

Q. Mr. Vold left the department in January, 1944?

A. About a year ago.

Q. It may be understood that during that period from 1937 to 1943, exclusive of the business of the insurance, the State Fire and Tornado Fund was conducted through Mr. Vold?

A. Some of the requisitions may have been mailed to us, but so far as I remember now, he never discussed with the commissioner regarding that. My business was practically

all, if not all, through the Manager of the Tornado Fund.

Q. Will you state how that business—did you solicit the business or was it offered to you or how did it come about?

A. I suppose we solicited it to a certain extent, yes.

Q. I take it you would know. There is competition between your agency and other agencies, was there not?

A. Sure.

Q. It was a competitive line of business that you had to go after?

A. Yes, I presume. Surely we solicited it.

Q. Well, did you have an understanding offered to take the business or to go up from time to time and look for business?

A. From time to time I went up and asked for business.

Q. Did you know at that time that some of the business was being written with the Byrne Agency and with the Murphy Insurance Agency?

A. Yes, I presume it was.

Q. That was your understanding?

A. They were local competitors for that business. I didn't know who all was getting that business.

Q. Did you also know that considerable amount of reinsurance business was being written from 1939 on, with the Western Fire Insurance Company?

A. I knew they were getting some.

Q. You knew that was one of the Insurance Companies getting that reinsurance?

A. Yes.

Q. What was the practice of the Insurance Department? By that I mean referring to the Fire and Tornado Fund with respect to the manner in which premiums were paid.

A. They paid us by warrants.

Q. That is, a warrant issued on the State Fire and Tornado Fund?

A. The State Treasurer, I think.

Q. Against the fund in the State Treasury, I take it.

A. Yes.

Q. Those checks issued to your agency or were they issued to the Insurance Companies that carried the risk?

A. They were issued to our agency.

Q. For the full amount of the premiums?

A. Yes, sir.

Q. And your company got the amount less commissions, and in that way you collected your commissions?

A. Yes.

Q. And what was the percentage of commission on that business?

A. Well, there are different rates of commissions on different kinds of insurance. Run from 15 to 25.

Q. Did that vary with the character of reinsurance?

A. Yes.

Q. Was that an established rate—an established schedule that was more or less consistent in the insurance business?

A. Yes.

Q. And it would vary somewhat?

A. 15 to 25.

Q. The Agencies commission?

A. Yes.

Q. You would say none was in excess of 25?

A. No, sir.

Q. Did any other agent or agencies share in the commission?

A. No, sir.

Q. You countersigned the policies, I presume, in behalf of the companies that actually issued them?

A. We write practically all of our own policies in our own office.

Q. You are the issuing agent?

A. Yes. I think there was only one instance in which it isn't done.

Q. As I understand it, it is the requirement in this state that all insurance by outside companies have to be signed by a resident agent?

A. That's right.

Q. Now, Mr. Hart, did you have occasion either personally or through the agency to make any advances to Mr. Erickson during the time he was Insurance Commissioner on any account?

A. We made him some loans—I am agent from the Gate City Building and Loan Association—on some houses.

Q. Did you make any personal advances that were not secured by real estate?

A. No, sir.

Q. Did you ever advance any money in connection with his political campaigns?

A. Yes.

Q. Were the sums large or moderate?

A. They weren't so large. We never made any large donations.

Q. Was there any contribution made in consideration of insurance received or anticipated?

A. No, sir.

Q. Was there any arrangement between yourself or the agency which you represent and Mr. Erickson for so-called kickback on insurance commissions received by him?

A. No, sir.

Q. Or any kickbacks actually paid?

A. No, sir.

Q. Was there any such arrangement between you and Mr. Vold?

A. No, sir. There wasn't.

Q. Did you ever make any personal financial advancement to him?

A. I made him some loans, yes.

Q. Were they individual loans or house loans?

A. Individual.

Q. You made him some individual loans?

A. Yes.

Q. Is he indebted to you at the present time?

A. No, sir.

Q. He is clear with you?

A. Yes, sir.

Q. As I understand it, Mr. Erickson does not owe you any other than as loans maybe held by the Gate City—

A. (Interrupting) He does not owe me anything personally at all.

Q. Could you give the Committee any idea as to what approximately the amount of the commissions received by your insurance agency on reinsurance from year to year?

A. The commissions?

Q. Mhm.

A. I imagine over a ten-year period—nine-

year period, probably the commissions would average probably a thousand dollars a year.

Q. That would be a nine-year period from 1936 up to 1945.

A. Yes.

Q. Were there some years that amounts were larger and some years smaller?

A. Yes, sir.

Q. What would be the maximum amount in any one year?

A. I think in 1942, four or five thousand dollars.

Q. Was it a fact that the reinsurance business was larger in the odd numbered years, '39, '41, and so on, than they were even numbered years, due to the fact that policies ran for two years and are written in odd numbered years?

A. That would be true.

Q. Therefore the commissions would be larger in '39, '37, than in even numbered years?

A. Yes.

Q. What would be the maximum amount that that your agency received in commissions in any one of these instances?

A. I think the largest year was somewhere around \$4,000 and \$5,000 commissions.

Q. When would that be?

A. I think 1942. '41 or '42.

Q. According to the records here as they have been presented, Mr. Hart, I think it appears that the largest amount of reinsurance business given by that office was in 1941, and the business stopped in 1943 due to legislation passed by the 1943 session, so probably your high-water mark was in 1941?

A. That's right.

Q. You would say that when up between four and five thousand dollars?

A. I think so.

Q. Was that your biggest year in the reinsurance business?

A. It was 1941 or 1942.

Q. There wasn't anything in 1943, as I understand it?

A. I think there was some every year.

Q. Did you act as countersigning agent for the Western Fire Insurance Company of Fort Scott, Kansas?

A. Yes.

Q. Did you receive any commission on that business?

A. No, sir.

Q. That was simply an accommodation act on your part, as a North Dakota agent of that company?

A. Yes.

Q. As far as you know, all of the commissions earned on that business went to somebody else?

A. Yes, I did not get any commissions.

Q. Do you know who got it?

A. No, sir.

Q. So that commission earned by your agency was upon policies issued by your agency in behalf of other companies?

A. Yes.

Q. How many companies did you represent in that capacity?

A. Seven, eight or nine. Somewhere along that line.

Q. Standard Insurance Companies, I presume, located in the East?

A. Yes, all excepting the Western Fire Insurance Company of Kansas City.

Q. As to that, you just countersigned for them?

A. We may have written some for them, but we countersigned a lot that we did not write.

Q. During what years?

A. Well, I don't remember. The last three or four years.

Q. That you operated, is that right?

A. Yes.

Q. Can you explain why it was that that service was performed for the Western Fire Insurance Company for nothing?

A. I do quite a large bond business with the Western Casualty and Surety Company and they have treated me very well.

Q. That is the Western Casualty and Surety Company?

A. The Western Fire Insurance Company was owned by the Western Casualty and Surety Company.

Q. They are affiliated?

A. Yes, sir.

Q. So that you did this incidental service, countersigning the policies of the Western Fire Insurance Company as an accomodation without compensation because of the nice business you do with the Surety Company?

A. Yes, sir.

Q. Is that a practice among insurance men to act as an agent for one company for nothing on account of the business received through an affiliated company?

A. I don't think it is a practice.

Q. This is an unusual situation?

A. Yes, sir.

Q. Did you ever hear of the Kansas Fire Insurance Agency?

A. Yes, sir.

Q. Of Kansas City?

A. Yes, sir.

Q. Do you do any business for or with them?

A. No, we do not. We countersign for them.

Q. Countersign for them?

A. Yes, occasionally.

Q. What sort of contracts would you be countersigning for them? They were not an insurance company, I understand.

A. No, they are not. As I understand it, they are an agency owned by the Casualty and Fire Companies. I don't know.

Q. What kind of a contract or instrument?

A. Various kinds—bondings they would send out through the agency.

Q. The Agency would send out bonds that you would handle?

A. Yes. Perhaps an Oil Company doing business in Kansas City, they would write their bond in North Dakota and I would countersign it.

Q. That is the way in which you came in contact with them?

A. Yes.

Q. Do you know whether or not that agency received the commissions on the reinsurance business written by the Western Fire Insurance Company and on the policies which you countersigned?

A. No, sir. I don't know.

Q. Don't know anything about that?

A. No, sir.

Q. Mr. Hart, I have in my hand, which I will now show you, a copy of an exhibit which is on file here which lists the reinsurance premiums paid by the State Fire and Tornado Fund to three agencies in Bismarck, including the Bismarck Insurance Agency, covering the years from 1937 to 1944, in which it appears that the total amount of such premiums paid to the Bismarck Insurance Agency was \$56,424.47. Do you think that statement is substantially correct?

A. Yes, I think so.

Q. Do you know that in the year 1941, there appears a total amount of some \$25,000 as paid to your agency?

A. Yes, sir.

Q. That is probably right? That is the high year?

A. Yes, sir.

Q. You would estimate that in that year, your company did receive commissions between four and five thousand on that total of business?

A. Yes, sir.

BRIDSTON: Any members of the Committee have any questions to ask?

BAGGE: It has been shown that some commissions amounted to as much as thirty-five per cent. Do you have any thirty-five per cent business in this Fire and Tornado Fund?

HART: A. No, sir.

KELLY: Q. Mr. Kraus was down to look after some of your records this Fall, do you recall that?

A. Yes, sir.

Q. And he reported to me that your practice in reporting commissions was to deduct from the gross commissions received any brokerage or commissions that you might have paid to other parties in arriving at the net commissions earned by the Bismarck Insurance Agency. Is that right?

A. Yes, I think so.

Q. He also reported to me that your records show the detail of to whom these brokerages and so on might have been paid. Is that right?

A. Yes, they do.

Q. In the year 1941, he reported to me that they showed a deduction of \$3800, apparently brokerage and commission paid which he did not seem to be able to locate. Do not recall that?

A. No, there is a list of the brokerage paid. He had that list.

Q. Can I recheck back with your records sometime when it is convenient to do so?

A. I don't know anything about that. I would have to look it up. It would be amounts of brokerage.

Q. I will drop down and look it over.

A. All right, sir.

At this point, Mr. Hart was excused from the Committee Rooms.

**BRIDSTON:** I want to enter in the records as exhibits some letters I have received from the Insurance Departments of adjoining states explaining their practice in paying examiners in the examination of foreign insurance companies.

(Exhibits No. 51, 52, 53, and 54 marked for identification)

Whereupon recess was called until 3:00 P. M.

3:00 P. M., January 25, 1945. Committee reconvened with appearances as follows: Page, Thatcher, Callahan, Bymers, Bridston, and Johnson. George Shafer, Committee Counsel, and O. R. Vold, Witness, also appeared.

**JOHNSON:**  
**VOLD:**

You may proceed, if you have a statement. As I understand it, the ownership of the Cafe is not disputed: That the original was fifty per cent each and we changed now to one-third mine and two-thirds his. As I understand it, what those people are particularly interested in is to find if some of this money that was paid in to the Department for reinsurance was used in financing this Cafe as is being contended by myself. In order now that if any of that money would go into the Cafe coffers, it naturally would go to the benefit of myself and Mr. Erickson according to the percentages that have been stated by both Mr. Erickson and myself. The first deposit that was made I at first stated was \$1,000 and more as we needed it, and I understand that you had the Cafe books here today—I wasn't here at the time, but that hasn't made any difference and it bears out that that thousand dollars initial deposit was as stated. If that thousand dollars come from reinsurance from the State Fire and Tornado Fund, that means it would take at least \$4,000 in premiums to produce \$1,000 in commissions and possible more because there was more money deposited shortly after the thousand. I ask of you that I be shown that Reinsurance Record in the State Fire and Tornado Fund office and you will find—or what I want to do there is identify the business which was given out by the State Fire and Tornado Fund on which the

premium was paid through the companies represented in here at the Murphy Insurance Agency, so that I can tell you which business they paid premiums on of over \$4,000 and on which this \$1,000 became available for the purpose of starting the Cafe. I take it that this is the information you want. I would like to see that record. I have no way of getting hold of that record myself and if you would subpoena that record, I would like to take a look at it and in the presence of the Committee, identify the business that went in to finance this venture in the first place.

JOHNSON: Who put this thousand dollars into that business?

VOLD: The insurance business was given to the State Fire Insurance Fund.

JOHNSON: Who put it in the business?

VOLD: Neither one of us. The thousand dollars went through the Cafe as the proceeds of this sale of reinsurance to the benefit of Erickson and myself, 50-50.

JOHNSON: Who received the money then?

VOLD: Whoever got the reinsurance. The companies that are represented in the Murphy Insurance Agency and the Reinsurance Record will show that.

JOHNSON: You mean to say the reinsurance records in the office of the Fire and Tornado will show where this thousand dollars come from?

VOLD: Yes, because it takes over \$4,000 in premiums to produce one thousand dollars in commissions because it is only 25% and on the 5th of June is a slack time of the year and it must be an unusual type of business to be allocated to certain agents or agent at that time of the year. That's right. It is easy to identify. It will show right up on your Reinsurance Record.

CALLAHAN: You mentioned June 5. The other time you said July. Which is it?

VOLD: June. The Cafe started June 5, 1940.

SHAFER: What do you mean to say? If I understand you, that on or about June 5, 1940, some reinsurance was written to some companies which produced commissions to the agency through which it was written of at least \$1,000.

VOLD: It had to.

SHAFER: Now you say that you and Mr. Erickson have received that thousand dollars from somebody at that time?

VOLD: I said we received the benefit of it because we owned the Cafe 50-50.

- SHAFER: You said your first deposit was \$1,000?
- VOLD: Of course that came from either the Murphy Insurance Agency or agents represented in it.
- Q. Let me follow through. You have already said that—and I am reconstructing your statement as best I know how—that on or about June 5, 1940, some insurance companies received reinsurance business through some agency which netted that agency at least \$1,000 in commissions?
- A. That's right.
- Q. And that on or before June 5, 1940, you and Erickson received a thousand dollars in currency from somebody representing such agents?
- A. That's right.
- Q. That was the thousand dollars which the Capitol Cafe investment account opened with and was deposited in the Dakota National Bank and Trust Company of Bismarck?
- A. That's right.
- Q. The deposit account being opened in the name of Agnes Shirley as manager?
- A. That's right.
- Q. Assuming both statements to be exactly correct, still that does not show by inference that the thousand dollars which somebody gave to you and Erickson which you had put in the bank came from the insurance business, unless you know that to be the fact.
- A. I certainly know that it is the fact that it was also possible. That can be incorporated in the record as the way I think it is.
- Q. Suppose Mr. Erickson should say: Yes, there was reinsurance business given to certain companies through the Murphy Agency from which the Murphy Agency apparently should have received \$1,000 in commissions. But I did not get any particular thousand dollars directly or indirectly that I know anything about. I furnished that part from some other source . . . What would you have to say to that claim?
- A. As to that kind of a claim, I would say this: That certainly that money could not be produced from two sources.
- Q. He could dispute with you whether that thousand dollars came from the source that you say. He would say: I don't know what Otto Vold got. Maybe he got \$1,000 from this Agency, put one-half in his pocket and kept it and used the other \$500 for his half of the thousand dollars.

A. Nothing could stop him from making that sort of an absurd statement.

Q. I am putting it that way for the purpose of testing the practicability of the situation.

A. I appreciate that. I am saying that to show that over here stands the Cafe and it received cash at the slack time of the year. Over here is the State Fire and Tornado Fund—.

Q. (Interrupting) Grant that, but that does not prove that the money came out of the commissions of the transaction because unless we knew the exact financial condition of both you and Mr. Erickson at that time, you could both put up \$500, I believe, from other sources.

A. Of course my story is that the money was produced from reinsurance and if the reinsurance placed can be proven to be the same amounts, that certainly should prove that my story is correct. Besides that, I will say this: That if I am given the opportunity to see that record and make certain identifications I think I can give your further information from certain other individuals that will corroborate the fact that reinsurance was placed to finance the Capitol Cafe.

Whereupon meeting was adjourned to 10:00

A. M. January 26, 1945.

Friday P. M. January 26, 1945.

Meeting reconvened with following appearances: Bagge, Callahan, Thatcher, Bymers. George Shafer appeared as Counsel for Committee, O. R. Vold, Witness, and George Kelly, Auditor. Beth Murray appeared with records.

**SHAFER:**

Let the record show that during the recess, the Reinsurance Register covering reinsurance business of the State Fire and Tornado Fund of 1937 to date was presented to the committee for inspection and that such Reinsurance Register has been returned to the possession of the Fund.

Q. (Continuing) Mr. Vold, did you have an opportunity to inspect the Reinsurance Register that has just been in the possession of the Committee in cooperation with Mr. Kelly, the Committee's Auditor?

A. I did.

Q. And after consulting the contents of that Register, do you have any further statement to make to the Committee?

A. Yes.

Q. You may proceed to make it.

A. In the first place, the even numbered

years—there is very little reinsurance given out compared to the odd numbered years. And during the month of May and June is a very quiet months. Therefore, I sought from the record if there was any large allocations of reinsurance for the forepart of June, 1940, for the reason that I have previously stated, that the reinsurance business was given for the purpose of starting the New Capitol Cafe in business and which was purchased shortly before June 5, 1940, for \$2300 from one Nick Zappas. On referring to the Reinsurance Record, I found that during the month of May, 1940, less than \$100 in reinsurance premiums were purchased but that during the month of June, when this Cafe was bought, over \$11,000 in reinsurance was purchased by the Department. Among that group of reinsurance was \$7,015.11 purchased from the Pennsylvania Fire Insurance Company and \$3,068.62 from the Commonwealth and which are run on the books of the Department now as office Policy Nos. 3071 to 3114, inclusive. The Commissions on that group of policies would be \$2350.43, which would be sufficient to purchase the Cafe at \$2300 and help stock the place which was necessary at that time. The Record was turned back to the Department, of course. The Record will bear out what I tell you here, and will be the best evidence. I might state that this is just exactly what I anticipated finding on that record.

Q. Can you state definitely now through what Insurance Agency, if any, that reinsurance was purchased?

A. The policies were countersigned by H. T. Morris of Fargo and who was State Agent of these two Fire Insurance Companies that I have mentioned and that the Murphy Insurance Agency had those arrangements made with various companies that the State Agent was to countersign the policies and receive the checks and a credit or pay the commissions to the Murphy Insurance Agency.

Q. Do you mean to say then that this is business that was really written through the Murphy Insurance Agency?

A. Yes sir.

Q. And that the Murphy Insurance Agency received in the first instance the premiums?

A. No, the checks were issued to the company.

Q. You mean to the insurance agents, is that what you mean?

A. That's right. There are two companies here.

Q. And that the insurance companies paid the commissions to the Murphy Insurance Agency?

A. That's right, and the arrangement is for the check made payable to the two insurance companies — those arrangements were made with the Murphy Insurance Agency.

Q. Was that the customary way of handling the matter of payment of premiums in such cases?

A. In many cases.

Q. In other cases, was it handled differently?

A. In many cases, the premiums was paid directly to the Murphy Insurance Agency.

Q. Well, what light does this transaction in your opinion throw upon your testimony previously given to the effect that the money used by yourself and Mr. Erickson to purchase this Cafe business came from Insurance Commissions?

A. In my opinion, which I am positive is correct, the commissions of twenty-five hundred dollars and twenty forty-three on office policies Nos. 3071 to 3114 inclusive are the funds that were used to originally start the Cafe by purchasing the property from Nick Zappas.

Q. You say that is your opinion. Upon what is your opinion based?

A. My opinion is based upon all arrangements that were made by me at that time with the several parties concerned, and information that I received today from examining casually the Reinsurance records in the office.

Q. And of the parties here concerned in those arrangements?

A. The Murphy Insurance Agency, Mr. Erickson and myself.

Q. And who representing the Murphy Insurance Agency?

A. H. T. Murphy, and I would not definitely state that the Koch's had specific knowledge of this entire transaction but they had general knowledge—I do know that they had. And the State Agent of the Pennsylvania Fire Insurance Company and the Commonwealth Insurance Company which issued the two groups of policies.

Q. By that you mean Mr. Morris?

A. That's right.

Q. Did he have knowledge of the kickbacks or commissions?

A. I wouldn't say that he had specific knowledge in this case, no.

Q. Well, if he did not, he wasn't a party concerned to your arrangement to get money from that source to buy the Cafe?

A. He was a party in this respect: That he sold insurance.

Q. He may have sold insurance, but I am talking about the point concerned about helping you and Erickson buy this Cafe.

A. You mean that Mr. Morris would have the knowledge of the Agreement between Mr. Erickson and I?

Q. I am asking you if he did or did not.

A. I wouldn't want it stated that he did.

Q. That would exclude him from that part of the arrangement?

A. Not necessarily. Unless he would have an arrangement with some insurance man to issue the policies.

Q. Was Morris a party to the arrangement to purchase reinsurance for the specific purpose of providing commission returned back to Erickson and Vold?

A. I would state that the knowledge of Mr. Morris at that time was confined to the writing of the insurance policies.

Q. What I am getting at is this: I infer from what you have said up to now on this particular subject that this particular line of insurance business was deliberately sold for the purpose of providing a source of money with which to buy this cafe?

A. That's right.

Q. If that is the case, who originated the insurance transaction? Did Morris originate it as seller, or did you folks originate it as a means of buying some reinsurance.

A. That would come through the Murphy Insurance Agency.

Q. The deal he says the Murphy Insurance Company is concerned in as State Agen was originated by the Murphy Insurance Agency?

A. That's right.

Q. Before that originated, there was an understanding between you folks going into the Cafe business and Mr. Murphy?

A. That's right. I might say further that the Cafe was purchased on the 5th of June, 1940, and that these checks that I mentioned here produced the commissions of \$2520.43, were dated June 5, 1940, and June 7, 1940.

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Q. At this time, do you have any specific recollection of this talk or talks with Murphy regarding that transaction?

A. Oh, yes, there were several conversation I had about that, different conversations leading up to the purchase of the Cafe.

Q. Will you state the substance of those conversations as you recall it?

A. The general substance of it was that we wanted to place this insurance to produce enough commissions that the money would be used to pay for the Cafe so that the purchase of the Cafe would be purchased without any cost to either one of us, meaning Mr. Erickson and myself.

Q. Was Mr. Erickson a party to those conversations with Mr. Murphy?

A. Yes, sir.

Q. So that deal was all understood before Mr. Murphy opened negotiations for reinsurance?

A. Yes, sir.

Q. Now, then, I suppose you did not get any money from Mr. Murphy until after the reinsurance was written and the policies issued?

A. That's right.

Q. Not till afterwards?

A. No.

Q. Now, do you have any specific recollection as to when and where and the circumstances under which the money was turned over?

A. That money was paid in currency.

Q. Could you say by whom and to whom?

A. I was designated by Mr. Erickson and myself to handle the deal insofar as paying for the Cafe, so I would state that I had the authority from Mr. Erickson to consummate this deal that had been made, and the money was paid by me and I know the first thousand dollars was taken over to the bank with Agnes Shirley and deposited to the name of the New Capitol Cafe.

Q. But I am more specifically interested at the moment in finding out more definitely when and where and who paid you the money if it was paid to you.

A. The place, exact place is pretty hard to say, because there was many deals where we met here and there, whether or not—it is awfully hard to say that this was perfected in any

particular office or car or cafe or anything like that, because it would be a guess on my part if I said that. In other words, I don't remember at this time the exact place where I was given this money.

Q. Would you say you remember who gave it to you?

A. I would say that the money was given to me by Mr. Murphy or H. F. Morris.

Q. In the event Mr. Murphy gave it to you, he knew all about the deal?

A. If Murphy paid it to me, it had to be the cash, but not at the time the insurance was purchased.

Q. At the time the money was paid?

A. It is possible that Mr. Murphy may have arranged that the money was to be paid direct to me. However, I would not state that that is the condition.

Q. Mr. Morris is in Fargo. In that case, did he give it to you here or in Fargo?

A. It wouldn't happen here.

Q. Do you want the committee to understand that the first kickback in connection with that transaction was an even \$1,000?

A. No, it wasn't. The first deposit in the bank was \$1,000.

Q. State what you do want the committee to understand in that respect?

A. I wish the committee to understand that commissions of \$2520.43 on these two batches of policies were given to me for the purpose of completing the deal for the Capitol Cafe.

Q. Well, then, you want the Committee to understand you were given \$2500 at one time?

A. That right. It could have been paid to me in more than one payment. That could have happened. I haven't any specific knowledge on that. But I got to hold \$2520.43, I am positive.

Q. I understand your position in that regard, but what I am getting at at the moment was whether or not you were given more or less than \$1,000 at the time the deposit was made on June 5, 1940.

A. Well, of course, I don't think that I have said that I was given the money on June 5, 1940.

Q. You made the deposit on June 5.

A. It must have been given to me before then.

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Q. How long before?

A. I couldn't say.

Q. Sometime between the time insurance was taken out and then?

A. That's right.

Q. Is it your impression that by June 5, you had been given more than \$1,000?

A. That may possibly be, but we wouldn't necessarily have to deposit it all.

Q. I am getting at what you did, not what necessarily would happen. Suppose you had been given \$2,000 by that time. Is there any reason why the \$2,000 wouldn't have been deposited?

A. I can't say there is, though it would indicate that we were putting deposits in there just enough to turn around and pay bills which had been agreed upon to be a part of the purchase price of the Cafe.

Q. As I understand, it was already understood that you were to pay \$2300 for the business.

A. That's right.

Q. So that you were looking forward to the net of \$2300 already?

A. More than that, because you have to stock the place.

Q. Just to complete the purchase, you had to have \$2300?

A. That's right.

Q. Now the ledger record that Miss Murray produced here stated that on the day before indicated, that the first deposits were \$1,000 and \$200, respectively, on the same day?

A. That could be possible.

Q. Does that indicate anything to your mind as to how much money you had received by whoever put it up?

A. Not necessarily. I might—in connection with the time that the money was paid to me, I might state this, that if you would produce the check numbers making up this total of something over \$10,000 in premiums and I could tell on the back of the check as to when they were cashed by the Pennsylvania Fire Insurance Company and the Commonwealth Insurance Company, you could better tell when the commissions would be available.

Whereupon recess was called subject to call of the chair.

January 27, 1945. 10:00 A. M.

Meeting reconvened. Appearances were as follows: Committeemen Bymers, Callahan, Bagge, Bridston. Other appearances were George Shafer, Counsel for Committee, George Kelly, Auditor. There also appeared Oscar E. Erickson with counsel Owen T. Owen and W. J. Austin, and Grace Valdars, stenographer. Callahan, Acting Chairman.

CALLAHAN: Meeting called to order. There being a quorum present, we will proceed with the meeting.

OWENS: We would like to renew the request this morning for a copy of the Ernst & Ernst report, and a copy of the testimony given by Mr. Vold.

CALLAHAN: Mr. Owens has requested a copy of the report of Ernst & Ernst and I would like the members of the committee to express their opinion—and also a copy of Mr. Vold's testimony.

BRIDSTON: When they had a full committee here, it was unanimous that no report be given to anybody.

CALLAHAN: It seemed to be the consensus of opinion that the report be filed with the Legislature.

AUSTIN: Mr. Chairman: It is Mr. Erickson's position that he wants to cooperate in bringing the facts out as they are if that is the desire of the committee, but the only way that he can do that intelligently is to know what the charges are against him, which is even the prerogative of a criminal. If this committee sees fit to give us that and the testimony of Mr. Vold upon which the Committee is now interrogating, then he will be in a position to know what the committee is driving at.

BRIDSTON: Mr. Chairman, I move that the committee, after all the testimony that we are working on now is in, that we in executive session consider this request of Mr. Erickson and others to give them the reports. In other words, before the report goes to the Legislature, we may consider that.

OWENS: We have not tried to make a legal proceeding of this so far.

SHAFER: Mr. Erickson, are you prepared to go forward with any questions regarding the matters that we previously went over with you?

ERICKSON: Mr. Chairman, Gentlemen of the Committee: I offered my cooperation: I would like to have this in the record—offered my cooperation to assist the committee in any way, shape or manner possible. I was asked to have someone bring the records of the Department down here with the impression and understanding that the person bringing the records down here would be questioned about the records. That

person was immediately dismissed with the statement that they only wanted the records. They did not want her at all. She came back to the office very much disturbed over the events that had happened. I immediately sent her and the two attorneys back down here to see what was going on. I don't believe this committee or any other committee has a right to ask for the records under false pretense without a subpoena or a Court Order, and pull the deal that was pulled yesterday. And when the men arrived here to find former employees that had been dismissed from the Department deliberately sitting at the table examining those records—it smells of inquisition to me. It isn't a fair proposition. I believe further that this committee is acting without any authority since the convening of the Legislature. I believe that I have shown my disposition to cooperate. I believe that I am entitled as an American Citizen to know what this thing is leading to. I believe that it is just an attempt to continue to lead this thing on to the end of the session. It is just purely a political matter and for that reason I am going to refuse to answer any more questions until I have the records so far as to know where I am going and what I am supposed to testify.

**CALLAHAN:** Mr. Shafer, would you give a report on that matter in regard to going over the records; that is, the Reinsurance Register?

**SHAFER:** I may state for the record and Mr. Erickson's information and that of his counsel that in the course of Mr. Vold's testimony before this committee, he made frequent reference to the contents of the Reinsurance Register which is kept by the State Fire and Tornado Fund, the contents of which he claimed would corroborate certain testimony and statements which he had given. In light of his responses in that connection and in light of Mr. Erickson's offer to the committee on his previous appearance to furnish any information and to provide any records in his custody bearing on the subject of the investigation, one of the members of the Committee called the Insurance Commissioner—I believe it was Mr. Johnson who so reported to us—and asked whether this record might be made available. Thereafter during the afternoon yesterday, the Reinsurance Record was produced by Miss Murray assisted by Mr. Kelly. And when the records were produced and Miss Murray asked me whether her testimony was desired in connection with it, I told her no, not at the moment. She asked whether she was required to stay and I told her she could if she wanted to. She then said she saw no reason to stay, and went out. Thereupon Mr. Kelly was instructed to

inspect the particular insurance record with Mr. Vold and to gather such information as was pertinent to the question under consideration and it was while that process of inspection was taking place that Mr. Austin and Mr. Owens and Miss Murray returned and protested that proceeding and took the records away with them with the consent of the committee. That is the matter from the standpoint of the committee and what took place in regards to that matter. We are sure Miss Murray wasn't asked to go out or required to go out; that while her testimony wasn't required at the moment, that she could stay if she wished.

**ERICKSON:** That is not Miss Murray's version of it and she is one of my employees. I will take her word for it.

**BRIDSTON:** If we had wanted to, we could have subpoenaed those records and kept them here but in view of the fact that we were offered the cooperation of the department, we asked for them without subpoenaing them.

**SHAFER:** We asked for them in view of the fact that we did not think it was necessary to subpoena them. May I say, too, for the record, that Mr. Vold who has been questioned from time to time during these few days with respect to transactions on insurance commissions, has not been permitted to see any testimony of Mr. Erickson. He has not been present when the evidence was taken.

**ERICKSON:** Let the record show, too, that Mr. Vold has been seen driving between Bismarck and Mandan at various times in his car with members of the committee in the car with him and also your Examiner, Mr. Kelly. No records are needed in cases of that kind.

**SHAFER:** Is it to be understood by the committee now, Mr. Erickson, that you are not willing to testify any further at this time in response to questions pursuant to the Committee's investigation?

**ERICKSON:** Until such time as I have the testimony.

**SHAFER:** I think that is all the business we have now.

**CALLAHAN:** I presume if there is any further need for Mr. Erickson to testify in view of the statements which he has made, Mr. Erickson and his counsel could be dismissed at this time.

(Oscar Erickson, with counsel and stenographer, leave room)

**BYMERS:** I move that the request made by Mr. Erickson's counsel, for a copy of the audit report and a copy of the testimony of Mr. Vold and other witnesses heretofore given to the committee

be denied, and that the committee reaffirm its policy previously established in refraining to deliver any copies of this report or divulge any testimony or other evidence given before this committee to any person until the committee makes its full report pursuant to the law.

**BRIDSTON:** I second that motion.

**CALLAHAN:** The motion has been made and seconded. All in favor say aye. Unanimous. Is there any further discussion?

**BYMERS:** In view of the fact that this is an investigation and not a judicial proceeding, I feel that we are justified in taking this stand, and that any other procedure would be inconsistent with the duties of the committee as the same is defined in the Legislative Resolution and the law creating this Interim Committee.

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January 29, 1945. 3:00 P. M.

Meeting reconvened with appearances as follows: Page, Callahan, Bagge, Bridston, By-mers, Johnson, and counsel, George Shafer.

Committee discussion.

Recess, subject to call of the chair.

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February 5, 1945. 10:00 A. M.

Meeting reconvened. Appearances were as follows: Committeemen Callahan, Bagge, Bymers, Johnson, Page. Other appearances were George Shafer, Counsel, and George Kelly, Auditor.

**JOHNSON:** Mr. Shafer, you will proceed.

**GEORGE KELLY,** being first duly sworn, testified as follows:

Examination by Mr. Shafer

**Q.** State your name and occupation.

**A.** George Kelly, employed as Assistant Manager of Ernst & Ernst, where I have been employed for the past twenty years as a Certified Public Accountant by examination in the State of Minnesota.

**Q.** Have you been working as an auditor for the Interim Legislative Committee?

**A.** Yes, sir.

**Q.** During what period have you been assigned to the work of that Committee?

**A.** Since the latter part of July out here in Bismarck about a week, and from about the middle of September, down to the end of the

year and from the middle of January, 1945 to the present time.

Q. Have you been in attendance at the meetings of the committee at which various witnesses have testified respecting the subject matter of the investigation?

A. Yes, sir.

Q. And did you hear the testimony of Mr. Vold and also of Mr. Erickson and Miss Murray regarding the business of the New Capitol Cafe?

A. Yes, sir.

Q. Did you, at the request of the committee, make a check of the books and records, or some of them, of the New Capitol Cafe?

A. Yes, sir.

Q. What books did that include?

A. That included the combination Cash Book and Journal and General Ledger, together with the cancelled checks on file, the monthly bank statement and the daily summary of sales, the latter being for the period from June 5, 1940, to June 30, 1941.

Q. Did you also examine the deposit record of the New Capitol Cafe in the Dakota National Bank and Trust Company of Bismarck?

A. Yes, sir.

Q. And have you inspected any records or vouchers supplied you by Mr. Vold in connection with that matter?

A. Yes. On certain of the deposit tickets in the Dakota National Bank it was indicated thereon that some of the deposits consisted of checks and Mr. Vold produced the checks covering the items included in the deposits. I am talking now insofar as items that were credited to the investment account are concerned.

Q. Have you prepared a statement setting forth in detail your findings from your inspection of the records referred to?

A. Yes, sir.

Q. (Exhibit No. 55 marked for identification)

Q. I show you Committee's Exhibit No. 55, dated February 5, 1945, and ask you if that is the statement so prepared by you?

A. Yes, sir.

Q. Will you please state the manner in which you have set up the information contained in this exhibit?

A. The first part of the exhibit, I summarized the additions and deductions in the investment account by years—the years 1940, 1941, 1942, 1943. The additions consist of investments of currency and checks and the proceeds of a loan from the State Bank of Burleigh County. The withdrawals consist of checks drawn on the bank account of the New Capitol Cafe and also a transfer of \$88.45 from the Undivided Profits Account made Saturday, December 31, 1941. The balance in the Investment Account, the end of 1943, amounted to \$4911.55.

Q. You also show as a note at the bottom of the Investment Account the total amount of currency and checks contributed as capital to this business?

A. That amounted to \$5800, which is shown in detail in a summary of the Investment Account included in a later section of this report, and consists of deposits of currency of \$3650 and of checks in the amount of \$2150.

Q. Do you also show in connection with the Investment Account the account of distribution to the partners during the period referred to?

A. Yes, sir.

Q. And what are those amounts?

A. Total distributions to Oscar E. Erickson were \$1911.24 and to Otto R. Vold of \$1219.10, making a total for the two of \$3130.34.

Q. And were the distributions—that is, the total—in excess of the profits shown or not?

A. Yes, sir. They are.

Q. That is to say, all the profits were drawn by the partners and in addition thereto, a part of the capital investment?

A. That's right.

Q. Will you state what the total profits were during the period referred to?

A. Yes, sir. The total profits for the period from June 5, 1940, to December 31, 1943, as taken from the records examined amount to \$2241.89.

Q. You also show as a detail of the investment account the form of the deposits made in the New Capitol Cafe account and the Dakota National Bank and Trust Company, whether currency, check or otherwise, do you not?

A. Yes, sir.

Q. And in that connection, you show a summary of the Investment Account indicating

the deposits in the form of currency and the deposits in the form of checks?

A. Yes, sir.

Q. You also show the withdrawals of profits and capital in itemized form by O. R. Vold?

A. Yes, sir.

Q. And also withdrawals of profits and capital by Oscar E. Erickson?

A. Yes, sir.

Q. You show the details of the Furniture and Fixture Account?

A. Yes, I show a classified summary of the nature of the additions and deductions in the account.

Q. In the item of additions on the subject of Furniture and Fixtures Account, there appears to have been a payment to Buechner and Orth of \$150 in 1942. What did you learn, if anything, what that item is for?

A. Well, there are two checks issued to Buechner and Orth for \$75.00 each, totalling \$150.00, which Mr. Vold has testified as pertaining to the costs involved in the proposed acquisition of certain properties in St. Paul, by he and Mr. Erickson.

Q. I also call your attention to an item of \$2135.05, entitled "Payment of Bills, etc." for the payment of Nick and Essie Zappas. Does that appear to relate to the accounts which Mr. Vold identified as having been assumed as part of the purchase price of this business?

A. Yes, sir.

(Passes paper to Committee Member)

Q. Do any members of the committee have any questions? (Continuing) Mr. Kelly, in your capacity as Auditor for the Committee, did you make an inspection of the individual bank account of Oscar E. Erickson in the Bank of North Dakota?

A. Yes, sir.

Q. And in doing so, what records did you inspect?

A. I inspected the Ledger Sheets of the transaction in the account and the deposit tickets from which the deposits were recorded in that account.

Q. Have you prepared a statement of your findings in that respect?

A. Yes, sir.

(Exhibit No. 56 marked for identification)

## JOURNAL OF THE SENATE

Q. I show you Committee's Exhibit No. 56, and ask you if that is the statement that you prepared?

A. Yes, sir.

Q. For what period did your inspection cover?

A. The period from March 31, 1938, the date on which the account was opened, to December 31, 1943.

Q. Did you classify the items deposited in that account in your statement?

A. Yes, sir.

Q. And under what headings?

A. Under Currency, State Warrants, and Checks drawn on various banks. The bank was unable to locate one deposit ticket for \$289.70, and from some of the deposits, cash was deducted from checks included in the deposit. The amounts of these deductions are shown by years in the schedule.

Q. Did you set up a schedule showing the details of the currency deposits?

A. Yes, sir.

Q. Did you, in some cases, find that currency had been withdrawn at the time that a check was deposited where the deposit slips showed currency also deposited from which no withdrawals were made?

A. A deposit made on March 1, 1939, showing the following detail: Currency, \$500, State Warrants, \$200, Total, \$700, Cash \$100, making the net deposit of \$600.

Q. In other words, in that instance the deposit ticket shows a total deposit of \$700, consisting of currency listed as \$500, a state check or warrant \$200, less cash withdrawal, \$100?

A. Yes, sir. Making a net deposit of \$600.

Q. Do you find many instances in which that practice was followed?

A. I believe that is the only deposit of that character.

Q. Did you show in Exhibit 56 the totals of the deposit by year, 1938 to 1943, inclusive?

A. Yes, sir.

Whereupon a recess was called until 11:00

A. M., February 6, 1945.

February 6, 1945. Committee reconvened with following members present: Johnson, Bagge, Thatcher, Bymers, Callahan. Other appearances

were George Shafer, Committee Counsel, George Kelly, Auditor, and Mrs. Frances Koch, Witness.

JOHNSON: We will call the meeting to order. Five members present.

(Continuing) Mrs. Koch, you are here on a subpoena and did you bring your records along?

A. Yes, sir.

Q. You will be sworn in by our attorney, Mr. Shafer.

Frances Koch, being first duly sworn, testified as follows:

Examination by Mr. Shafer

Q. Your name is Frances Koch?

A. That's right.

Q. You are the wife of W. R. Koch?

A. Yes.

Q. You are appearing before this committee this morning in response to a subpoena served on you two weeks ago?

A. I am.

Q. Also you brought certain records pertaining to the insurance business of the Murphy Insurance Agency which you were requested to bring by the Chairman of the Committee?

A. Yes.

Q. By the way, Mrs. Koch, how is your husband getting along?

A. Not so good.

Q. Is he still in the hospital?

A. Yes, he is.

Q. I don't suppose you have any idea when he will be released?

A. I have no idea.

Q. Have you seen him lately?

A. I saw him yesterday.

Q. You and your husband, W. R. Koch, are the present Managers of the Murphy Insurance Agency?

A. We are.

Q. And you have been since the death of Mr. Henry T. Murphy in 1941?

A. That is correct.

Q. You and your husband were associated with that agency for some years before his death?

A. We were.

## JOURNAL OF THE SENATE

Q. Remember how long?

A. Well, I have been here since 1920 and Mr. Koch since 1927.

Q. You have been with him since 1920?

A. 1920.

Q. Just what is the Murphy Insurance Agency?

A. It is a corporation.

Q. Is that the corporate name?

A. Murphy Insurance, Incorporated.

Q. Is the Corporate name?

A. Corporate name—the name with regard to which Murphy and Company has been used now and then in connection with that business.

Q. Is that a separate business?

A. No, before we were a corporation, we went by the name of H. T. Murphy & Company. That was a partnership.

Q. Who were the partners?

A. C. B. Little, H. T. Murphy.

Q. Do you recall when it was incorporated?

A. May, 1928.

Q. Since then, the proper name of the business has been Murphy Insurance, Incorporated, but it is commonly known as the Murphy Insurance Agency?

A. That is correct.

Q. Have you been keeping books for this business during all the years that you have been there?

A. Just about. About the first year, I did not keep the books.

Q. Since then, you have been really in charge of the bookkeeping operations of the business and managing the office?

A. As a routine, yes.

Q. How are the books kept? That is, under what name? Are they kept under the name of Murphy Insurance, Incorporated, Murphy Insurance Agency, Henry T. Murphy, or part or all of them?

A. Part of all of them.

Q. Has the name of the partnership been used since the time it has been granted?

A. Not in a business sense. Some of our checks still come in H. T. Murphy where they haven't taken up the Murphy Insurance title.

Q. Some of the people would remit in the name of the old company?

A. Our endorsements still go in that way.

Q. One stamp contains all those different names?

A. Yes.

Q. You are, of course, aware of the fact that the Murphy Insurance Agency — and I am using that as a general term to signify that business—handled a good deal of reinsurance business for the State Fire and Tornado Fund in the year 1937 through 1941?

A. That is correct.

Q. And that business all was recorded in the books of the company, I presume?

A. No, it wasn't.

Q. Not recorded?

A. No.

Q. Was there certain types not recorded and others recorded?

A. That is correct.

Q. Was there any particular policy or dividing line?

A. No, there wasn't.

Q. How do you account for that?

A. According to the way Mr. Murphy would ask me to enter the transactions — as to whether they were entered or not.

Q. In other words, Mr. Murphy, during his lifetime, was the head of the firm?

A. Yes.

Q. Were you and your husband members of the Corporation?

A. No.

Q. Just employees?

A. Just employees.

Q. So that Mr. Murphy was the boss during his lifetime?

A. Yes, sir.

Q. And you entered the transaction in the way he stated and they weren't entered if he did not request them to be entered?

A. That is correct.

Q. Does that mean some of this business I am referring to, the Reinsurance business of the State, did not reach the books at all?

A. That is correct.

Q. And Mr. Murphy handled those transactions himself, I take it?

A. He did.

Q. And no books were kept on them so far as you know?

A. No.

Q. Do you know whether he kept any individual records — individual of what records you kept?

A. If he did, I did not know it.

Q. As far as you know, he did not keep any individual records?

A. That is correct.

Q. Do you know why that uncertain practice of bookkeeping was carried on by Mr. Murphy?

A. I do not.

Q. Anyway, the practice was that some of these reinsurance transactions were put on the books and some were not?

A. That is correct.

Q. And of course you knew about some that were not?

A. I knew there were transactions, yes.

Q. Did you bring with you the record of two check transactions that took place in the early part of June, 1940, involving one check of \$1750 and another for \$750?

A. I did.

Q. You have now handed me one of the original checks to which you just referred, No. 17,667, drawn by Murphy Insurance, signed by H. T. Murphy, Treasurer, in the amount of \$1750, payable to the order of Frances Koch, drawn on the First National Bank of Bismarck, North Dakota. That describes the face of that check?

A. That does.

Q. In whose handwriting is that check drawn?

A. Henry Murphy's.

Q. Signed by H. T. Murphy?

A. Yes.

Q. On the back of this check appears endorsements as follows: First, Frances Koch and following that, H. T. Murphy. Is the first endorsement your name, Mr. Koch?

A. It is.

Q. And this is your signature?

A. It is.

Q. And the second is H. T. Murphy?

A. It is.

Q. That was cashed presumably by Mr. Murphy?

A. It was cashed by Mr. Murphy.

Q. This is the cancelled check?

A. Yes, sir.

Q. Is that check registered in the check register of the business?

A. That's right.

Q. You keep a check register in which there was recorded all checks issued in the name of the Murphy Insurance?

A. We do.

Q. By the way, I notice that the name against which the check appears to be drawn is Murphy Insurance?

A. That's right.

Q. That is the way the account is carried?

A. That's right. We have dropped the Incorporated.

Q. For the purposes of the books and checking account?

A. Mhm.

Q. Does the check register indicate the purpose for which this check is drawn?

A. It does not.

Q. Do you remember the check itself?

A. I do not remember why it was issued.

Q. Looking at the check itself in the Check Register does not refresh your memory with regards to it at all?

A. No, because the check register says charged to her.

Q. On the books of the company? That is what it says on the check register? Who entered it that way?

A. I.

Q. And of course that means, I take it, that was the intention. It is to be charged to your account?

A. That is correct.

Q. Can you explain to us why that check or a check of that character should have been

issued to you and charged to your personal account?

A. Well, no, I couldn't answer that insofar as with the exception of we would have an account that was marked Frances Koch with H. T. M. to signify it was his account as well as mine.

Q. In the bank?

A. No, on the books.

Q. Was there any reason why the check should be issued in that manner?

A. No, there was no reason why I should be connected with the transaction whatsoever.

Q. Can you account for the check being issued in that way? Why should either you or Mr. Murphy have a check written to you in which you had no interest?

A. Why should it be issued to me?

Q. In which you had no interest.

A. Mr. Murphy had several accounts on the books and he issued checks in different manners which would be charged to different accounts. In reality they were all charged to his account.

Q. You would say that notwithstanding it was made payable to your account, it was nevertheless Mr. Murphy's transaction entirely?

A. Correct.

Q. And not a matter in which you had any interest or connection?

A. None whatsoever.

Q. Except that for some reason your name is involved in it?

A. That's right.

Q. But you cannot give us any explanation growing out of your experience there in the business as to why Mr. Murphy should do that?

WITNESS:

Off the record. You mean he was kind of considering the situation from C. B. Little standpoint? I don't want this on the record, but I will tell you . . . (Proceeds with story).

Q. You have also shown me Check No. 17,698 in the amount of \$750, issued in the name of Murphy Insurance, signed by H. T. Murphy, treasurer, dated June 10, 1940, payable to Frances Koch, and drawn on the First National Bank of Bismarck, North Dakota.

A. That's right.

Q. On the back of that check there appears two endorsements as follows: First, Frances

Koch and second, H. T. Murphy. Is the first your endorsement?

A. It is my endorsement.

Q. And is the second Mr. Murphy's?

A. Mhm.

Q. That check is also, I presume, registered in the Check Register?

A. It is.

Q. Is that also charged to your account according to the notation in the Register?

A. It is.

Q. Can you give the committee any explanation of what that is for and your connections with it?

A. The same as the other. I would not know.

Q. For the same purpose?

A. Not necessarily for the same purpose.

Q. The \$1750 check is dated June 5, and the other is June 10?

A. We wouldn't know if he was doing the same thing on that day as the other day.

Q. The procedure was the same?

A. The checks were drawn, yes.

Q. The checks were drawn payable to you, endorsed by you to him?

A. That is correct.

Q. By him, and the same sort of entry made in the Register?

A. It is the same, yes.

Q. As I understand, you have no recollection whatever of this check transaction?

A. I don't.

Q. What it is about or what it is for?

A. I do not.

Q. Now, is this manner of issuing checks by Mr. Murphy payable to you and endorsed by you a special transaction or was it frequently done?

A. Well, I would say it was done frequently. Not too frequently but it was done on a number of different occasions. There were checks issued that way on other matters.

Q. They all have to do with Insurance matters? No other than insurance matters?

A. That is all.

Q. It all related to Insurance matters?

A. (Nodding)

Q. Would you say that this particular manner of writing checks payable to you and charged to your account and endorsed by you had been followed?

A. I don't know.

Q. You have the Check Register?

A. I have the Check Register and I have most of the checks.

Q. But you haven't noticed that, whether it was the first time checks were issued that way or not?

A. No, I don't.

Q. Would you say it was done afterwards?

A. I think it was.

Q. What I am getting at is to find out from your recollection and understanding of the practice whether this was the only two times this was done?

A. I don't remember.

Q. Would you say that the endorsements by you were made in the office?

A. Yes, they were made in the office.

Q. And Mr. Murphy took the checks and put them through the bank?

A. I gave the checks to Mr. Murphy and I presume that is what he had to do, yes.

Q. Was it part of your duty to look after the statements and cancelled checks when they came back at the end of the month?

A. Oh, Mr. Murphy always checked the bank account to see that it balanced.

Q. Did you get the statements at the bank?

A. Sometimes. In fact, I don't think I ever got the statements myself. I have sometimes gone to bank unless there is no one else around. I haven't been in the First National Bank for over a year.

Q. Did you look after the matter of making the deposits on behalf of the Murphy Insurance Agency?

A. Some of them, yes.

Q. Did you enter up on the books such remittances as you were instructed to enter as they came in to the office?

A. Yes.

Q. Mr. Kelly, representing the Interim Investigating Committee has recently been check-

ing some of these records in your office, has he not?

A. He has.

Q. And you furnished him some information from the records with regard to receipts of the Murphy Insurance Agency from Insurance Companies? Or did you just show him the records?

A. Well, I don't know just what you mean.

(Question read)

A. I showed him the cash book if that is what you have reference to.

Q. In connection with Mr. Kelly's inspection of your records, was your attention called to a receipt of commissions from the Pennsylvania Fire Insurance Company and the Commonwealth Fire Insurance Company during the early part of June, 1940?

A. I have no special recollection.

Q. You have here before the committee now the cash receipt record for June, 1940?

A. Mhm. That is correct.

Q. And do the cash receipts for June 13, 1940, show a receipt of \$2500 from Frances Koch?

A. There is an entry here of Frances Koch's of \$2500—a credit.

Q. Do you remember anything about that transaction?

A. I do not.

Q. Individually of your recollection based upon your bookkeeping practice, what would you say that represents?

A. I don't have the slightest idea. He might have given me almost anything to clear that transaction. As to where the receipts come from, I would have no idea.

Q. Do you have the records of the deposit made in the First National Bank of Bismarck as of June, 1940, showing a deposit of two checks—one for \$1753.28 and the other for \$767.16, totalling \$2520.44. Does your record show the total deposit that day?

A. Yes.

Q. Does that record show what items were included?

A. Yes. (Reads) Chris Yagen, Seventy-five dollars; Mary Galven, Two dollars; John Locker, seventy-five cents; Frances Koch, Twenty-five Hundred Dollars; H. T. Morris, Twenty forty-four; William Ogden Ward, One seventy; Alex Rosen, Forty-three fifty; W. H.

Sullivan, Forty-three fifty; W. S. Röhrer, Ten Dollars; First Baptist Church, Ten Dollars; Horace Gordon, Five Dollars; J. P. Balch, Ten Dollars; W. H. Clark, Two fifty; Gertrude Gaines, Two fifty; Stanley McCurdy, Twenty-six Dollars; Bank of North Dakota, One Thirty; Bismarck Hide and Fur Company Eight Dollars. That's all.

Q. These items you have just listed are shown as receipts in the cash receipt book for the day. That does not represent a deposit?

A. That represents a deposit made on that date.

Q. Are you sure about that?

A. I am not sure of anything, but—.

Q. That would be your impression?

A. Unless I was mistaken on some of the dates. That would be the total deposit made.

Q. Mrs. Koch, for your information, we are informed through Mr. Kelly that there is a deposit slip as of that date, June, 1940, in the First National Bank, showing a deposit of two checks I have previously referred to, one for \$1753.28, and the other for \$767.16.

A. That would be correct.

Q. Would you have the duplicate of that deposit slip?

A. No, I don't keep duplicates.

Q. So that the deposit slips in the bank would be the only original record?

A. So far as I know, that would be correct.

Q. Do you recall anything about a reinsurance transaction to you about June 12, 1940, in which the Fire and Tornado Fund obtained a policy from the Pennsylvania Fire Insurance Company and also one from the Commonwealth Insurance Company, which were written through the Murphy Insurance Agency?

A. They were probably written through that agency but it does not represent the agency and they were not written in our office.

Q. You don't represent the Pennsylvania nor the Commonwealth? I am talking about June, 1940. You didn't represent the companies at that time?

A. We have not represented those companies for years.

Q. When you say that it may have been written through the agency, what did you mean?

A. They probably might have been written by somebody else for our account.

Q. You mean other agencies with whom you cooperate?

A. That is possible, yes.

Q. Might that have taken place through Mr. H. T. Murphy, State Agent?

A. As the State Agent for the Commonwealth, yes.

Q. Did he sometimes write insurance for the Commonwealth Agency?

A. Not that I know of.

Q. If the records indicate that Murphy Insurance Agency received credit on its account for the two amounts I have just described, that would indicate that the insurance was written for the account of the Murphy Insurance Agency, would it not?

A. Well, I wouldn't know. That was something for Mr. Murphy to determine. I wouldn't know if it was supposed to be for our account or what.

Q. When we use the term, "written for the account of the Murphy Insurance Agency", I suppose that would be business in which the Murphy Insurance Agency or some of its agents received some of the commissions, is that right?

A. You mean that Murphy Insurance Agency received commissions? That wouldn't be Murphy Insurance Agency business then. It might be H. T. Murphy, but not Murphy Insurance.

Q. When you say, "written for the account of the Murphy Insurance Agency", what do you mean?

A. I mean business that was given to the Murphy Insurance Agency and credited to the Murphy Insurance Agency.

Q. By some other agent?

A. By some other agent or agency.

Q. In that way, Murphy Insurance Agency shares in the commissions?

A. Murphy Insurance Agency would not share in the commissions. H. T. Murphy personally.

Q. The business would be run in the name of the agency but Mr. Murphy would get the commissions?

A. Yes, even though they might have an entry there. That is correct.

Q. It would indicate that it was his business, from the standpoint of getting the commission?

A. That is possible.

Q. If the deposit records of the First National Bank, with respect to the Murphy Insurance, show a deposit there on June 13, 1940, of a check written by the Pennsylvania Fire and Insurance Company for \$1753.28, and one by the Commonwealth Insurance Company for \$767.16, or if those checks were written by H. T. Murphy, that would indicate that either the Murphy Insurance or H. T. Murphy was receiving the commissions?

A. That is possible that he did.

Q. As I understand you to say, you have no recollection or knowledge of any reinsurance of the State Fire and Tornado Fund being written at that time from which and through which commissions in the amounts of those two checks were received by Murphy Insurance or Mr. Murphy?

A. I wouldn't say about Mr. Murphy. Mr. Murphy might have, yes. But not Murphy Insurance.

Q. Assuming the records show the checks in those amounts were deposited to the account of the Murphy Insurance, what does that indicate to you with regard to who got the commissions?

A. H. T. Murphy.

Q. Do you know anything about the business organization in this city known as the New Capitol Cafe?

A. I know nothing about it except that we have a few policies of insurance on it. That would cover on the contents.

Q. Fire Insurance?

A. That is correct.

Q. Did you know about this concern in the summer of 1940?

A. Well, I don't just recall as to when those policies were issued.

Q. Do you know as to who was taking over that business in June, 1940—whether Otto Vold was mixed up in it or not?

A. Otto Vold, I think, placed the business. I think he is the one who asked for the insurance.

Q. What connection did he appear to have with it at that time?

A. As far as I understand, I don't know what connection he had with it.

Q. In other words, you think Mr. Vold dealt with Mr. Murphy?

A. Yes. Personally, I don't know if he did or not, but I think he did.

Q. Have you learned since that Mr. Vold claims to be one of the partners?

A. I have heard rumors like the rest of you that he was.

Q. You mean you heard it later or did you hear it then?

A. I wouldn't say exactly whether I heard it that time or not.

Q. You might have?

A. It is possible, but I don't recollect.

Q. Did you hear any discussion on the part of anybody connected with the Murphy Insurance concern about Vold in the financing of that enterprise?

A. Not that I know of.

Q. You mean you don't remember?

A. I do not remember. Mr. Murphy did not discuss his business transactions that he had with other people with me so I wouldn't know.

Q. Did you mean to say you did not hear anything about that or that you might have and don't remember?

A. I just don't remember. I don't think I did.

Q. About Murphy or Murphy Insurance Agency advancing money for the purchase of that business?

A. I didn't know the Murphy Insurance Agency was in the restaurant business.

Q. Somebody connected with the agency would have been connected with it be advancing money?

A. I wouldn't know.

Q. If that took place, you don't know anything about it?

A. No.

Q. You yourself don't know of any advances made to Mr. Vold for that purpose?

A. No, I don't.

Q. Are you familiar with the transactions that took place in the summer of 1941 involving some reinsurance in the State Fire and Tornado Fund written through the St. Paul Fire and Marine Insurance Company and the Mercury?

A. I do.

Q. And the difficulty that arose in connection with collecting the commissions due to Mr. Murphy's death on August 24, 1941?

A. I do.

Q. Will you state to the Committee just what you know about that deal?

A. What I know about that deal? After his death, when we were checking, we were assuming all liabilities and naturally we weren't trying to get out all the correspondence, but we found out that this account was set up in Mr. Murphy's name without cancellation. And then at that time, Mr. Vold wrote in to the St. Paul Fire and Marine asking them to cancel policies and have them rewritten for our account.

Q. That was done?

A. Yes.

Q. Before Mr. Murphy's death, did you know about this particular line of insurance?

A. I know they were writing some insurance.

Q. That was written through the Murphy Insurance Agency?

A. They were not.

Q. They were written by the companies direct?

A. Correct.

Q. But for the account of H. T. Murphy?

A. It appears that way.

Q. You mean set up on the books of the company?

A. Yes.

Q. Part of the account was set up? There was more commission?

A. I think Mr. Murphy had drawn some checks.

Q. Some \$2500?

A. I would say somewhere in there.

Q. He had drawn \$2500 before his death on the commission?

A. No answer.

Q. Was that amount, by the way, placed on the books of the company here or taken care of by him personally?

A. I think that was run through the books as a cash item.

Q. As a cash item?

A. I think so.

Q. Anyway, the balance of the commission that was apparently due Mr. Murphy had been set up to the credit of his personal account of the books of those two companies at the time of his death.

A. That is correct.

Q. That is the situation as you and your husband found it at that time.

A. That is correct.

Q. And then following his death, the two groups of policies for which those commission items were set up were cancelled and new policies were written of identical amounts.

A. Identical amounts. One was cancelled and one was written to replace it.

Q. And the credit which stood upon the books of these insurance companies in Mr. Murphy's name was cancelled as a result of that transaction and new credits for commissions on the equivalent amount of business was placed on the books to the credit of whom?

A. I suppose it was W. R. Koch and Frances Koch but I am not sure it was joint or not.

Q. You were, each of you, licensed Insurance Agent in North Dakota?

A. (Nodding)

Q. Remember the circumstances under which those commissions were collected if they were collected?

A. Well, I think that Mr. Koch collected them.

Q. He went down to St. Paul and effected the collections?

A. Yes.

Q. Do you know in what manner? How? What amount?

A. \$6,000. \$3500 was brought back to Bismarck in cash.

Q. By your husband?

A. Yes.

Q. Do you know what he did with that?

A. As far as I know, it was put in a safety deposit box.

Q. In his own house?

A. As I said before, there is a box down there. I don't know the number of it. I know I did not put it in there.

Q. You understand currency was put in the safety deposit box which is in whose name, if you know?

A. I would assume it was joint.

Q. In the First National Bank?

A. Mhm.

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Q. Then from there what happened to the money?

A. From there it was used to pay Life Insurance, as far as I know.

Q. Life Insurance for whom? Yourself or Mr. Koch?

A. Some of that went to the Provident Life and that would be for Mr. Koch.

Q. You mean premiums on Life Insurance Policies which your husband then had in the Provident Life of Bismarck?

A. (Nodding)

Q. Is it your understanding that all of the money was used for payment of the premiums on Mr. Koch's Life Insurance?

A. Not necessarily, no.

Q. What other purpose?

A. Well, I don't know just exactly what it was used for. I suppose that we would buy real estate, and I know that we deposited \$2,000 in the bank in 1942.

Q. In what bank?

A. First National Bank.

Q. Bismarck?

A. Yes, sir.

Q. Do you still have that?

A. \$2,000? No, I imagine it has been checked out because my bank balance is not anywhere near that.

Q. Referring to the rest estate which you have in mind was bought . . . ?

A. Bought Mr. Murphy's Cabin up along the river.

Q. Where was that located?

A. About eleven miles north on the River Road.

Q. On the Missouri River in Bismarck?

A. Yes.

Q. What amount?

A. \$2,000.

Q. From whom was that purchased?

A. Mrs. Murphy.

Q. Mr. Murphy's widow?

A. Correct.

Q. Some of this \$6,000 commission was left in a bank in St. Paul, was it?

A. \$2,500 was what I saw the other day. (Indicating Kelly) He had the records. I would say he was right. That amount was deposited in a Savings Account of his.

Q. In what bank?

A. First National Bank? I don't think I am a very good business woman because I can't remember so much.

Q. That amount is \$2509.67, is it?

A. (Nodding).

Q. Deposited as of September 4, 1942?

A. I would say it was somewhere near.

Q. Anyway, the form of the deposit was a check issued by the St. Paul Fire and Marine Insurance Company dated September 4, 1942, and payable to Frances Koch and W. R. Koch and their survivors, in the First National Bank at St. Paul?

A. Mhm.

Q. That check was endorsed by you, was it, to the order of the First National Bank of St. Paul?

A. No answer.

Q. And an account opened in that bank for the sum indicated on the check?

A. Put in a savings account.

Q. You say it is still there?

A. It is still there.

Q. To your credit or the credit of both of you?

A. To the credit of both of us. I think the account is joint.

Q. Mrs. Koch, do you know whether Mr. Murphy during his lifetime made any financial advances to Mr. Vold?

A. Financial advances to Mr. Vold? I wouldn't know whether they were financial advances—there was an exchange of checks, as far as I know.

Q. What do you mean by that?

A. Mr. Vold would come in with a check and I would give him a check back and in a week or so I would run it through.

Q. What is the object of that?

A. I wouldn't know. Ask Mr. Vold.

Q. Did it mean that his check wasn't good or yours was good?

A. No answer.

Q. You didn't deposit the ones you got from him?

A. Yes.

Q. Until he would notify you when that could go through?

A. He would generally give you a date and then you would have to call him.

Q. The result was that he was borrowing money on the books?

A. Temporary loans, I would say.

Q. About the same as if he was giving you a note?

A. I think the checks were better than a note. Q. The purpose was to provide him with a check which he could cash?

A. I suppose so. At least our checks were cashed.

Q. Were those sums of any considerable amount?

A. I think Mr. Kelly has a record of most of them. They were anywhere from one hundred or fifty dollars up to six hundred.

Q. Do you know whether Mr. Murphy advanced him cash besides exchanges of checks?

A. Not that I know.

Q. Do you know whether anybody connected with the agency advanced any money to Mr. Erickson?

A. Not that I know.

Q. You don't know anything about such transactions if that took place?

A. I do not.

Q. This reinsurance business that was handled for the State Fire and Tornado Fund reached a rather large volume during the years immediately prior to Mr. Murphy's death, did it not? I am comparing it with other lines of insurance.

A. There was a considerable amount involved, yes.

Q. And state whether or not that particular line of business was treated by Mr. Murphy and the other persons connected with the Murphy Insurance Agency as the personal business of Mr. Murphy?

A. Some was treated as personal business and some was run regular through the office.

Q. Put through the office? You mean through the books?

A. And the Agency received the credit for it.

Q. When it went through the books the result was that Mr. Murphy's partner, who was C. B. Little, presumably participated in some of the profits?

A. That's right.

Q. That that did not go through the books, Mr. Murphy retained the profits?

A. That's right.

Q. Can you give us some idea what proportion was put through the books if you have analyzed one way or the other?

A. I have no idea.

Q. It is larger than any other volume of business?

A. Not necessarily.

Q. Anyway, it was a large volume of business?

A. That is correct.

Q. Is it a fact that some of the records pertaining to Mr. Murphy's transactions with the agency are not now available—that is, his personal records?

A. That is correct.

Q. Were the records pertaining to his personal business destroyed after his death?

A. They were.

Q. And the ledger sheets showing the transactions between Mr. Murphy and H. T. Murphy and Company are also gone?

A. They are.

Q. At the time the examiner looked for them?

A. They are gone.

Q. Who disposed of them?

A. I did.

Q. Is there any particular reason to dispose of them?

A. Mr. Murphy asked me to.

Q. Before his death?

A. Yes.

Q. Did he indicate any reason?

A. Not exactly, except one that I wouldn't care putting on the records. I will tell you gentlemen if you want to know it. (Recounts portion of story which remains off record).

Q. Various data supporting checks issued which are on the register such as details, policies paid for, invoices for expenses and

miscellaneous items were also destroyed at the time Mr. Kelly looked at your records?

A. Mr. Kelly had all records that I had.

Q. In other words, he had access to all the records that were still in existence at the time he examined them, but prior to that time, the records relating to Mr. Murphy's personal business, as you stated, was all destroyed?

A. All destroyed.

Q. About when would you say there were destroyed with respect to Mr. Murphy's death?

A. Possibly more than six weeks thereafter.

Q. Possibly in the fall of '41?

A. Mhm.

Q. Mr. Kelly was given access to everything in the books?

A. Everything he has asked for we have furnished him with, that's right.

Q. Mrs. Koch, did you bring with you some checks written May 2, 1941, and August 1, 1941?

A. There was some checks requested for that period and I brought them.

Hands paper to Shafer)

Q. You have now shown me six checks all issued by Murphy Insurance signed by H. T. Murphy, payable to H. T. Murphy, endorsed by him in the following amounts and dates: May 2, \$1,000; June 2, \$500; July 3, \$1000; July 18, \$1000; July 31, \$1500; August 1, \$1,000. These checks all in the handwriting of Mr. Murphy?

A. They are, I think. Mhm.

Q. All contain his endorsement?

A. Mhm.

Q. They are all drawn on the First National Bank of Bismarck?

A. Mhm.

Q. Can you give the committee any explanation?

A. Mr. Murphy was building a house in Florida and a guest house, and he had his daughter and his former wife on a trip. Just exactly where the money went I wouldn't know. I know he spent it.

Q. Can you tell whether they were cashed?

A. No, I don't know whether they were cashed or deposited.

Q. The stamps on the checks do not indicate anything to you in that regard?

A. No.

Q. How are those entered in the Register?

A. I think they are marked charged to him. What are those numbers? I think they are all marked charged to him.

Q. The first one is 18445. Those indicate they were charged to him personally.

A. Mhm.

Q. That is all I have in mind.

JOHNSON: Make this a matter of record. Mrs. Koch excused but the subpoena will hold until released by the committee.

Recess subject to call of chair.

February 9, 1945. 3:30 P. M.

Appearances: Mr. George Kelly; Committee Counsel, George Shafer.

Examination by Mr. Shafer

Q. Mr. Kelly, since Mr. Vold was last on the witness stand and directed the committees' attention to certain matters in the records of the State Fire and Tornado Fund with respect to certain reinsurance placed with the Pennsylvania Fire Insurance Company and Commonwealth Insurance Company, have you made a check of the records with a view to gathering data bearing on the matter?

A. Yes, sir.

Q. And have you prepared and examined your data in such a manner as to enable you to give the Committee a resume of your findings?

A. Yes, sir.

Q. Will you proceed to do so.

A. On June 4, 1940, the Fire and Tornado Fund issued Warrants No. 6808 for \$6,382.94, and No. 6809 for \$630.17 to the Pennsylvania Fire Insurance Company in payment of the premiums on reinsurance policies given Fund Office Nos. 3083 to 3114, inclusive. The vouchers supporting these payments totalling \$7,013.11 were signed by H. F. Morris as State Agent for the Pennsylvania Fire Insurance Company. One June 7, 1940, the Fire and Tornado Fund issued its Warrants No. 6,710 for \$2,721.88 and No. 6,711 for \$346.74 to the Commonwealth Insurance Company in payment of the premiums on reinsurance policies given Fund Office Nos. 3,071 to 3,082, inclusive. The vouchers supporting these payments totalling \$3,068.62 were signed by H. F. Morris as State Agent for the Common-

wealth Insurance Company. The usual amount of commission paid on this type of business was twenty-five per cent, which would amount to \$1,753.28 on the Pennsylvania policies and to \$767.16 on the Commonwealth policies. The deposit slip in the Dakota National Bank of Fargo show that the following items were included in a deposit credited to the checking account of H. F. Morris on June 12, 1940: Pennsylvania Fire Insurance, \$1,753.28, Commonwealth Insurance Company, \$767.16. The Ledger Sheet showing the transaction in Mr. Morris' account showed that on June 14, 1940, checks in the amount of \$1,753.28 and \$767.16 were charged thereto. The records of the First National Bank of Bismarck, North Dakota, show that on June 14, 1940, it sent to its correspondents in Fargo for clearance checks in the amounts of \$1,753.20 and \$767.16, which were drawn on the Dakota National Bank of Fargo, and which had been endorsed by the Murphy Insurance Agency. The records of the First National Bank of Bismarck show that the account of the Murphy Insurance Agency was credited with a deposit of \$2,754.94 on June 13, 1940, the deposit slip showing that check for \$1,753.28 and \$767.16 were included therein. These two items total \$2,520.44. The cash receipts record of the Murphy Insurance Agency for June 13, 1940 show that \$2500 was received from Frances Koch and an item in the line following shows that \$20.44 was received from H. F. Morris. The total of these items is \$2,520.44. The Check Register of the Murphy Insurance Agency shows that on June 5, 1940, check No. 17,667 for \$1,750 was issued to Frances Koch and on June 10, 1940, the Check Register shows that Check No. 17,698 for \$750 was issued to Frances Koch. The Register shows that these two checks, totalling \$2500, were to be charged to Frances Koch's personal account.

I was unable to locate a ledger sheet showing the personal transaction between Frances Koch and the Murphy Insurance Agency, but apparently the credit of \$2500 on June 13, 1940, applied to repay these two advances.

Check No. 17,667 for \$1750.00 which was issued by the Murphy Insurance Agency on June 5, 1940, to Frances Koch, was endorsed by her and by H. T. Murphy, and bears the rubber stamp of Teller No. 1, of the First National Bank, Bismarck, under date of June 5, 1940. The bank informs me that the placing of that stamp on checks show that they were cashed at the bank on the dates shown thereon. Check No. 17,698 for \$750 issued by the Murphy Insurance Agency on June 10, 1940, to Frances Koch was endorsed by her and by H. T. Murphy,

and bears the rubber stamp of Teller No. 1 of the First National Bank of Bismarck, showing that this check was cashed on June 10, 1940.

SHAFFER: Q. Did you personally examine the records of the Dakota National Bank of Fargo and the records of the First National Bank of Bismarck with respect to these matters which you have just testified to?

A. Yes.

Q. And did you also personally inspect the Check Register of the Murphy Insurance Agency in connection with the same matter?

A. Yes, sir.

Q. In your examination of the records of the Murphy Insurance Agency the other day, did you discover that certain checks were issued H. T. Murphy between May 2, 1941, and August 1, 1941, totalling \$6,000 and which checks were cashed by him in the First National Bank in each instance on the day in which they were issued?

A. Yes, sir.

Q. Do you have the data with respect to those checks and if so, will you kindly give such data for the record?

A. May 2, 1941, Check No. 18,425, for \$1000; July 2, 1941, No. 18,560, for \$500; July 3, 1941, 18,565, for \$1,000; July 18, 1941, 18,609, for \$1,000; July 31, 1941, 18,647 for \$1500; August 1, 141, No. 18,650 for \$1,000. All these checks were issued by the Murphy Insurance Agency and were made payable to H. T. Murphy and bear his endorsement and bear the rubber stamp of the Tellers in the First National Bank at Bismarck, showing that they were cashed on the same dates on which the checks were issued.

Q. From what records of the Insurance Agency did you obtain this information?

A. From the Check Register of the checks themselves.

Q. Did you see the cancelled checks?

A. Yes, sir.

Q. And are they the same checks that were identified by Frances Koch in her testimony which she gave the other day?

A. Yes, sir.

Q. That's all.

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February 10, 1945. 10:30 A. M.

Meeting reconvened with appearances as follows: Committeemen Page, Callahan, Bymers, Bridston; There also appeared George Shafer,

Counsel; O. R. Vold, Witness; George Kelly, Auditor. Page, Acting Chairman.

PAGE: Meeting called to order. Attorney Shafer will proceed.

Examination by Mr. Shafer

Q. Mr. Vold, in Committee's Exhibit No. 55, prepared by Mr. Kelly, containing financial statements and analyses of financial transactions involving the New Capitol Cafe, from June 5, 1940, to December 31, 1943, there appears a schedule on Sheet 4 thereof describing the items that were deposited to the investment account of the Cafe and showing such as are currency items and such as are checks. This schedule lists a number of checks deposited drawn by O. R. Vold. Were those your personal checks, Mr. Vold?

VOLD: A. Some were my own and some were those of the Coffee Shop at Harvey made payable to me and endorsed over to them.

Q. Upon what bank account were those checks drawn?

A. The checks of my own are drawn on the Dakota National Bank and Bank of North Dakota in Bismarck and those that were drawn on the Coffee Shop and Confectionery were drawn on the First State Bank at Harvey.

Q. Were those drawn on the Harvey Bank drawn on your account there?

A. They were made payable to me and most of them were charged to my account there.

Q. Were the checks drawn by you to yourself?

A. Most of them were.

Q. What funds did these various checks so disbursed by you represent?

A. You mean insofar as the New Capitol Cafe?

Q. That's right.

A. They were all issued in lieu of cash advances—advances to the New Capitol Cafe, either advances that had been made or . . .

Q. (Interrupting) Advances from whom?

A. Moneys that were received from reinsurance commissions as I testified prior.

Q. You wish the committee to understand then that none of these checks listed on the schedule deposited to the credit of the investment account of the Cafe list your own money?

A. Oh, no.

Q. Or the money of any other person interested in the Cafe business?

A. They were all from reinsurance commissions.

Q. In other words, you mean that you had already received the reinsurance commission kickbacks and instead of depositing the money so received direct to the account of the cafe and the Dakota National Bank at Bismarck, you issued these checks?

A. That is true in some of them, and some of the items the money was advanced in the form of a check and then later on I would get the cash from the reinsurance.

Q. You mean sometimes you advanced your own money and then was reimbursed?

A. That's right.

Q. This exhibit prepared by Mr. Kelly which purports to be taken from the record of the New Capitol Cafe business kept by yourself and Miss Murray, reports the total net investment of \$5800, whereas I believe in your testimony before the committee on the first day of the hearing, you gave the total investment of \$6,395. Can you reconcile the difference in those two investment totals?

A. At the time, the figures shown in the record were not available to me and therefore I arrived at the \$6300 some odd dollars by taking the net amounts still carried in the investment account on January, 1943, plus the depreciations charged at three different times in the Income Tax returns which would make a total of something over \$6300. Since I gave that testimony, however, the figures shown in the investment account have been made available and they show a net of \$5800. I would say that is the correct figure.

Q. Do you have any further information to offer to the committee dealing with the financial relationship between yourself and Erickson and the Cafe business at this time?

A. Nothing more that I can think of at the present time except that I want to emphatically state that all the moneys coming into the investment account of the Cafe came from the sources I have just described.

Q. You mean insurance commission kickbacks?

A. That's right.

(Exhibits No. 57, 58, 58(a), 58(b), 58(c), 58(d) marked for identification).

SHAFER:

Let the record show that Committee's Exhibit No. 57, which is offered for the record, consists of a letter written by B. E. Robinson, Motor Vehicle Registrar, to Representative A. C. Johnson, Chairman Investigating Committee, dated January 26, 1945, and relates to the records of the Motor Vehicle Registration Department with respect to the registrations and title, as evidence of a certain 1938 Plymouth Senda Car, registered as having been purchased on November 10, 1937, from Pete's Garage at Tappen, North Dakota, and the title for it is taken in the name of Ellen B. Erickson; and that Exhibit No. 58 consists of a letter written by B. E. Robinson, Motor Vehicle Registrar, to Representative A. C. Johnson, Chairman, dated February 7, 1945, relating to the registration and title record of a certain 1939 Chrysler Sedan Car purchased by Oscar E. Erickson from the Blaisdell Motor Company of Minot on July 3, 1939 to which there is attached four photostatic copies of the records of the Motor Vehicle Registration Department relating to the Title Registration of such Chrysler Sedan car, such photostatic copies being identified as Committee's Exhibit No. 58, 58(a), 58(b), 58(c) and 58(d).

Q. (Continuing) Mr. Vold, referring to Committee's Exhibit No. 58(a) and (b), from which it appears that on July 3, 1939, Oscar E. Erickson purchased a Chrysler Sedan from the Blaisdell Motor Company at Minot, does that record refresh your memory or call to your mind anything pertaining to that car transaction?

A. Is that the deal where he traded the Plymouth in on the Chrysler?

Q. Exhibit 57 recites that the Plymouth Sedan described therein was sold to the Blaisdell Motor Company of Minot in 1939.

A. 1939, yes. Those are the two cars that I had reference to in my early testimony, but where I referred to the Chrysler as being a Plymouth. Otherwise I would say that these two cars described in these exhibits are the two cars that I referred to; that the Plymouth was traded in on the Chrysler and the difference owing to the Blaisdell Motor Company was paid by giving reinsurance to J. C. Blaisdell, Sr., and the commission by him to be paid to the Blaisdell Motor Company to take up the difference in the two cars.

(Exhibits No. 59 and 60 marked for identification)

SHAFER:

Let the record show that Committee's Exhibit No. 59 and 60 respectively are photostatics copies of two original vouchers against the

State Fire and Tornado Fund, Nos. 5818 and 5817 respectively, signed by J. E. McKoehn and J. C. Blaisdell, Sr., which originals were presented to the Committee for its inspection by Oscar E. Erickson at the time he was before the Committee.

Q. (Continuing) Mr. Vold, directing your attention to Committee's Exhibit No. 60, purporting to be a voucher executed by J. C. Blaisdell, Sr., against the State Fire and Tornado Fund, dated June 30, 1939, approved by yourself as manager of the State Fire and Tornado Fund and by Oscar E. Erickson, for the amount of \$1220.42. Does that bring to your mind any further information in respect to the car purchases that you have testified to?

A. A portion of the payments for reinsurance made to J. C. Blaisdell, Sr., where the commission was paid to the Blaisdell Motor Company on the cars referred to is represented in this voucher.

Q. Are you referring now to the Chrysler car purchased by Erickson on July 3, 1939, or the car purchased by yourself at that time?

A. I am referring to both of them.

Q. Is it your recollection that both you and Erickson bought new cars from the Blaisdell Motor Company at that time?

A. That's right.

Q. Erickson buying a Chrysler Sedan and you buying a Plymouth?

A. That's right. I will say, however, there were more payments made to Blaisdell, Sr., than is represented in this voucher.

Q. That is, there were more premium payments?

A. That's right.

Q. Which he had obtained from the Fire and Tornado Fund?

A. That's right. I also want to say that the date on the voucher does not mean anything, because on June or July 1, 1939, the department went on a budget basis because that is the time that the Jackpot Amendment went into effect and a lot of these checks were dated back to June 30, 1939 so we wouldn't have to go on the budget basis. And the record of the department will show that a lot of checks were issued as of June 30, 1939, indicating that they were dated back to June 30, 1939.

Q. In other words, one could tell from the records that the checks dated as of June 30, 1939, were in fact issued later?

A. That's right.

Q. Assuming that the date June 30, 1939, may not indicate the true date on which such checks were issued; nevertheless, in view of the fact that the Title Registration record, which is a part of Committee's Exhibit 58, indicates a sale of the Chrysler car by the Blaisdell Motor Company to Oscar E. Erickson, upon July 3, 1939. Would that have any significance with respect to the time that the reinsurance premiums were paid?

A. Well, the voucher and the payment that so indicated in Exhibit 60 was issued and payment made subsequent to June 30, 1939, so could therefore easily have been a part represented for the payment of the Chrysler in question.

Q. Do you think that the Blaisdell Motor Company would report the sale as of June 3, 1939, if the sale were not completed at that time and settlement made?

A. Well, yes, the deal could have been made with the understanding that the difference between the second hand car and the new car was to have been taken care of by reinsurance through Blaisdell, Sr.

Q. In other words, it is probably that the sale was made first for the purpose of creating commissions from which to pay the difference in the cash price required.

A. That's right.

(Committee's Exhibits No. 61, 62, 63, 64, and 65 marked for identification)

BRIDSTON: I move that Committee's Exhibits No. 61 to 65 inclusive, consisting of copy of individual income tax returns of Oscar Erickson and O. E. Erickson and Ella Erickson, for the fiscal years June 30, 1939, to June 30, 1940; July 1, 1940 to June 30, 1941; July 1, 1941, to June 30, 1942; July 1, 1942 to June 30, 1943; and July 1, 1943 to June 30, 1944; some of the originals of which were furnished to this committee by the State Tax Commissioner pursuant to subpoena issued therefor by the committee, be admitted in evidence and made a part of the official record.

BYMERS: I will second that motion.

PAGE: It has been moved and seconded that the exhibits be made a part of the record. All in favor say aye. Unanimous.

Adjourned.

February 14, 1945. 10:00 A.M.

Appearances: George Shafer, Committee Counsel, George Kelly, Auditor.

Examination by Mr. Shafer

Q. Mr. Kelly, have you made a summary of the contents of the Income Tax Returns filed by Oscar E. Erickson and Ella Erickson of the State of North Dakota for the fiscal years ended June 30, 1940 to June 30, 1944, inclusive, such Income Tax Returns being identified in the record as Committee's Exhibits 61 to 65 inclusive?

A. Yes, sir.

(Exhibit No. 66 marked for identification)

Q. Is the Committee's Exhibit No. 66 the summary so prepared by you?

A. Yes, sir.

Q. It appears from this exhibit that no figures are given for the fiscal year ending June 30, 1941. Can you explain what the situation appears to be from the Income Tax Returns with respect to that particular fiscal year?

A. Apparently no return was filed for the year ending June 30, 1941. At least the Office of the Tax Commissioner could not locate any in their files.

Q. What does Committee's Exhibit 62 consist of?

A. Exhibit 62 is a Return for the Calendar Year 1940, on which the taxpayer made the following notation: "I file on a fiscal year basis. Next report is due July 1, 1941."

Q. I call your attention to Committee's Exhibit No. 2, purporting to be a partnership return filed on behalf of the New Capitol Cafe for the Calendar Year 1943 and ask you if that Return shows the net profit of the New Capitol Cafe for the year 1943 and the share allocated to the partners.

A. Yes, sir.

Q. Will you state what the total profit shown there is and the share allocated to the partner?

A. The total profit is shown to be \$1,730.34, which is shown to be distributable among the partners as follows: Oscar E. Erickson, seventy per cent, \$1,211.24; and O. R. Vold, thirty per cent, \$519.10, making the total of \$1,730.34.

Q. Since you last testified, have you obtained any further information bearing upon the commissions paid by the Pennsylvania Fire Insurance Company in respect to the reinsurance

policies purchased by the Fire and Tornado Fund from those two companies than which has already been made in the record?

A. Yes, sir.

Q. What information has been obtained and from what source?

A. The records of the Pennsylvania Fire Insurance Company and the Commonwealth Insurance Company show that the checks paid to H. F. Morris in the amounts of \$1,753.28 and \$767.16, respectively, were for the commissions on policies given Nos. 3,083 to 3,114 inclusive, and 3,071 to 3,082 inclusive, by the Fire and Tornado Fund, which checks were deposited in Mr. Morris' checking account in the Dakota National Bank of Fargo, on June 12, 1940.

Q. In connection with your investigation of the various reinsurance transactions and other other transactions, what records of what departments and institutions in Bismarck did you examine?

A. Examined the records of the State Fire and Tornado Fund, the State Bonding Fund, State Hail Insurance Department, Insurance Department proper, the Industrial Commission and the Bank of North Dakota.

Q. Did you also examine the records of any Insurance Agencies located in Bismarck?

A. Yes, sir. Examined the records of Murphy Insurance, Incorporated, Bismarck Insurance Agency, and the Byrne Insurance Agency.

Q. In connection with your examination of records of the Insurance Agencies located in Bismarck, were the records and files complete in all cases or were there instances in which some records were missing?

A. Some of the records were missing. As to Murphy Insurance, Incorporated, all of the records pertaining to insurance business considered by the Insurance Company to have been the personal business of H. T. Murphy were missing, and Mrs. Koch informed me that those records had been destroyed shortly after Mr. Murphy's death. Ledger sheets showing the transactions between H. T. Murphy and the Company were likewise missing and data supporting the disbursements made by the company such as details of policies being paid for, invoices for expenses and so forth were not available for our inspection. As to the Bismarck Insurance Agency checks and check stubs relating to disbursements made prior to January 2, 1942 were missing and we were informed they had been destroyed.

Q. What institutions including insurance companies other than those located in Bismarck did you examine?

A. Examined certain of the records of the Mill and Elevator Association at Grand Forks; the records of A. C. Brunsvold, Fargo, North Dakota; The St. Paul Fire and Marine Insurance Company, St. Paul, Minnesota; Mercury Insurance Company, St. Paul, Minnesota; Western Fire Insurance Company, Fort Scott, Kansas; Western Casualty and Surety Company of Fort Scott, Kansas; Duncan and Mount, New York; and R. N. Crawford Company, Inc., of Chicago, Illinois.

Q. Were you refused permission to examine the books and records of any insurance concern or agency in connection with your investigation?

A. R. N. Crawford & Company refused us permission to examine the records pertaining to the disposition made of the commission and excess charge received by them on Lloyd's policy covering reinsurance of hail losses for 1943. Examination of the records of the Western Fire Insurance Company and the Western Casualty and Surety Company show that the Commissions on the business given those companies by the State Fire and Tornado Fund and the State Bonding Company were paid to the Kansas City Insurance Agency, Incorporated, of Kansas City, Missouri. We were denied permission to examine the records of this latter agency which we desired to do for the purpose of ascertaining what disposition was made of the commissions that they had received from business derived from the two funds mentioned.

Q. In connection with your investigation of the records of the Western Fire Insurance Company and the Western Casualty and Surety Company, did you find that all of the commissions on the reinsurance placed with those two companies by the State Fire and Tornado Fund and the State Bonding Funds had been paid to the Kansas City Insurance Agency?

A. Yes, sir.

Q. I assume, therefore, that as a result of your inability to see the records of the Kansas City Insurance Agency, you obtained no information from that Company or its officers as to what disposition was made of the commissions received by it on State Reinsurance Business placed with the Western Companies.

A. No such information was received.



## INDEX OF EXHIBITS

Nos. 27 to 66, both inclusive  
and  
A, B, C.

Committee's Exhibit No.	Page of Journal	Description
27	831	Copy of a list of premiums paid by the State Fire and Tornado Fund to the Western Fire Insurance Company on reinsurance policies as shown therein.
28	834	Copy of letter by H. E. Wildfang to Oscar E. Erickson, dated August 27th, 1941; relating to a \$400 note, signed by Agnes Shirley, O. R. Vold and Erickson. Copy of such note attached thereto.
29	835	Copy of letter written by Vold to Erickson, dated August 14th, 1941, relating to the \$400 note described in Exhibit No. 28.
30	835	Copy of letter from the Klein Lumber Company to Oscar E. Erickson, dated February 12th, 1941, asking for remittance of \$244.90 on the Capitol Cafe account, to which there is attached itemized statements for material sold to the New Capitol Cafe.
31*	....	Letter written by Agnes Shirley, Manager of the New Capitol Cafe, to Vold, dated August 18th, 1941, relating to New Capitol Cafe matters, together with Copy of letter written by Vold to Miss Shirley, dated August 21, 1941.
32	836	Copy of a letter written by Vold to Erickson dated October 28th, 1941, relating to various matters, including affairs of the New Capitol Cafe.
33	838	Original letter written by Oscar E. Erickson to Mr. O. R. Vold, dated August 8, 1941.
34	839	An original telegram sent by Oscar E. Erickson to O. R. Vold, dated November 28th, 1941, relating to New Capitol Cafe matters.
35	840	Letter from "Cap" Murphy (H. T. Murphy) to Vold, dated August 8th, 1941.
36	840	Telegram sent by H. T. Murphy to Otto Vold, dated August 20, 1941.
37*	....	Application for travel authorization for O. R. Vold, made by Oscar E. Erickson, dated July 21, 1941.

Committee's Exhibit No.	Page of Journal	Description
38	841	Letter written by Bill Koch to Vold, dated October 15, 1941.
39	841	Airmail letter written by Bill Koch to Otto Vold, dated October 18, 1941.
40	842	Letter written by Oscar E. Erickson to Vold, dated September 1, 1941, in which Erickson asked Vold to arrange a loan for him (Erickson) of \$2500.00.
41	843	Statement of premiums paid by the State Fire and Tornado Fund on re-insurance policies obtained through the Murphy Insurance Agency, Bismarck Insurance Agency and Byrne Insurance Agency.
42	843	Memorandum, identified by witness Vold as being in the handwriting of Oscar E. Erickson.
43*	....	Copy of a letter from Vold to Oscar E. Erickson, dated November 24, 1941.
44	844	Letter written by Oscar E. Erickson to Otto Vold, dated December 26, 1941.
45	844-845	Letter written by Oscar E. Erickson to Mrs. Otto Vold, dated November 7, 1941, together with a copy of a letter written by Mrs. Otto Vold to Oscar Erickson, dated November 10, 1941, acknowledging receipt of Erickson's letter of November 7.
46	846	An original telegram from Oscar Erickson to Vold, relating to an option on a St. Paul building.
47	846	An Option Contract entered into between the American Lutheran Church and Otto R. Vold, dated October 5, 1942, and relating to the college building located in St. Paul, previously described by Vold.
48*	....	Pamphlet prepared by and submitted for the record by witness Vold.
49	848	Memorandum prepared by Vold and Murphy, relating to the classifications of building for insurance purposes and itemizing certain political campaign commitments and advances claimed by Vold to have been made by Murphy in Erickson's behalf in 1936.
50	849-850	Letter received by Vold from H. T. Murphy, written February 22, 1940, together with Vold's reply thereto.

Committee's Exhibit No.	Page of Journal	Description,
51	850	Letter written by W. A. Mueller, Insurance Commissioner of South Dakota, to Senator J. B. Bridston, dated December 21, 1944.
52	851	Letter written by C. C. Fraizer, Director of Insurance of the State of Nebraska, written to Senator J. B. Bridston, dated December 23, 1944.
53	852	Letter written by M. E. Holohan, Chief Dputy, Department of Insurance, State of Illinois, written to J. B. Bridston, on December 21, 1944.
54	853	Letter written by Morvin Duel, Commissioner of Insurance, State of Wisconsin, to J. B. Bridston, dated January 11, 1945.
55	853	Report prepared by George Kelly, Committee's Auditor, containing various financial statements and analyses of the New Capitol Cafe, covering the period from June 5, 1940, to December 31, 1943.
56	863	Report prepared by George Kelly, Committee's Auditor, containing a summary of deposits in the individual account of Oscar E. Erickson in the Bank of North Dakota, for the period of March 31, 1938, to December 31, 1943.
57	865	Letter written by B. Robinson, Motor Vehicle Registrar, to Arthur E. Johnson, Chairman, Interim Investigating Committee, dated January 26, 1945, and relating to the registration and title record of a certain 1938 Plymouth Sedan car.
58	866	Letter written by B. Robinson, Motor Vehicle Registrar, to Arthur E. Johnson, Chairman, Interim Investigating Committee, dated February 7, 1945, relating to the registration and title record of a certain Chrysler Sedan car described therein; and Exhibits 58(a), 58(b), 58(c) and 58(d) are photostatic copies of the title records described in Exhibit 58.
59	867	Photostatic copy of an SF&T Fund Voucher, executed by J. E. McKoane, of Minot, N. D., for the sum of \$1577.62 dated June 30, 1939, approved by Otto R. Vold and Oscar E. Erickson, and bearing Voucher No. 5818.

Committee's Exhibit No.	Page of Journal	Description
60	869	Photostatic copy of an SF&T Fund Voucher, executed by J. C. Blaisdell, Sr., of Minot, N. D., for the sum of \$1220.42, dated June 30, 1939, approved by Otto R. Vold and Oscar E. Erickson, and bearing Fund Voucher No. 5817.
61 to 65 inclusive*	....	Copies of Individual Income Tax returns filed by Oscar E. Erickson and Ella B. Erickson for years ended June 30, 1940 to June 30, 1944, inclusive.
66	871	Summary of the Income Tax Returns filed by Oscar E. Erickson and Ella B. Erickson for the fiscal years June 30, 1940, to June 30, 1944, inclusive, prepared by George Kelly, Committee's Auditor.
Oscar E. Erickson's Exhibit A	872	Affidavit of Robert H. Strutz, submitted for the record by Oscar E. Erickson.
Oscar E. Erickson's Exhibits B & C, respectively.	873	Photostatic copies of original State
	874	Warrants issued in payment of SF&T Fund Vouchers, of which Committee's Exhibit Nos. 59 and 60 are photostatic copies.

Exhibit numbers indicated thus (\*) not printed. Refer to originals on file with committee.

(Jan. 16, 1945  
Comm. Exhibit  
27)hg

PREMIUMS RECEIVED BY WESTERN FIRE INSURANCE CO.  
From  
STATE FIRE & TORNADO FUND OF NORTH DAKOTA

<u>1937</u>	Excess Policy (L. M. Peet) .....	\$ 10,000.00	
	Pro Rata Business (E. M. Casey) .....	266.11	
			\$ 10,266.11
<u>1938</u>	NONE		None
<u>1939</u>	Excess Policy (L. M. Peet) .....	\$ 10,000.00	
	Pro Rata Business (L. M. Peet) .....	16,885.54	
	(As Per Schedule attached)		26,885.54
<u>1940</u>	Pro Rata Business (L. M. Peet) .....	\$ 2,333.68	2,333.68
	(As Per List)		
<u>1941</u>	Pro Rata Business (L. M. Peet) .....	538.22	538.22
	(As Per List)		
	GRAND TOTAL BUSINESS RECEIVED AND RUN OFF .....		\$ 40,023.55
1941	Business reported as of June 24 effective August 1, 1941—W. A. Hart (Bismarck Ins. Agency) .....	2,137.97	2,137.97

SATURDAY, FEBRUARY 24, 1945

## Comm. Exhibit 27 (Continued)

NORTH DAKOTA PRO RATA BUSINESS FOR YEAR 1940 (L. M. Peet)					
<u>POL. NO.</u>	<u>ASSURED</u>	<u>PROPERTY</u>	<u>AMT.</u>	<u>EXP.</u>	<u>PREM.</u>
G-68604	State Teachers College, Minot .....	Bldg.	\$ 4,200	8- 1-42	70.56
G-68605	Common S. D. No. 5, Cass County .....	B&C	2,500	11- 2-45	89.80
G-68606	Havelock S. D. No. 25, Havelock, N. D. ....	Bldg.	1,000	8- 1-42	25.37
G-68607	Fargo S. D. No. 1, Fargo .....	Cts.	1,200	8- 1-42	21.94
G-68608	University of N. D. Grand Forks .....	Bldg.	41,000	11-25-41	352.45
G-68609	Northwest Fair Assoc., Minot .....	Bldg.	1,960	8- 1-41	55.67
G-68610	" " " " .....	Bldg.	2,500	8- 1-41	26.95
G-68611	" " " " .....	Bldg.	8,000	8- 1-41	287.04
G-68612	" " " " .....	Bldg.	6,880	8- 1-41	177.50
G-68613	" " " " .....	Bldg.	5,600	8- 1-41	163.97
G-68614	State Hospt. Insane, Jamestown .....	Bldg.	6,500	8- 1-41	59.02
G-68615	" " " " .....	Bldg.	7,900	8- 1-41	30.89
G-68616	State Highway Dept. Bismarck .....	Bldg.	2,500	8- 1-41	45.50
G-68617	State Penitentiary, Bismarck .....	Bldg.	7,900	8- 1-41	125.54
G-68618	Village of Canton, Hensal .....	Bldg.	2,500	8- 1-42	48.25
G-68619	Amenia S. D. No. 43, Amenia .....	Bldg.	7,500	8- 1-42	189.90
G-68621	Melby S. D. No. 15, McHenry .....	Bldg.	50,000	12-18-41	354.20
G-68622	State Mill & Elevator Assoc. Grand Forks .....	B&Mach.	50,000	12-31-42	209.13
					<u>2333.68</u>

## Comm. Exhibit 27 (Continued)

NORTH DAKOTA PRO RATA BUSINESS FOR YEAR 1941 (L. M. PEET)

<u>POL. NO.</u>	<u>ASSURED</u>	<u>PROPERTY</u>	<u>AMT.</u>	<u>EXP.</u>	<u>PREM.</u>
G-68623	Carpio S. D. No. 156, Carpio .....	B&C	6,500	8- 1-43	203.78
G-68624	Connors S. D. No. 50, Max .....	Bldg.	8,400	8- 1-43	225.54
G-68625	Ward County, N. D. ....	Cts.	5,000	8- 1-41	108.90
					<u>538.22</u>

NORTH DAKOTA PRO RATA BUSINESS FOR YEAR 1941 (W. A. HART)

<u>POL. NO.</u>	<u>ASSURED</u>	<u>PROPERTY</u>	<u>AMT.</u>	<u>EXP.</u>	<u>PREM.</u>
G-68779	Stanton S. D. No. 22, Mercer County .....	B&C	15,400	8- 1-43	366.52
G-68780	Flasher S. D. No. 39, Flasher .....	B&C	18,900	8- 1-43	290.25
G-68781	Nelson County, Lakota .....	Cts.	15,000	8- 1-43	298.50
G-68782	Aneta Special S. D. No. 2, Aneta .....	B&C	15,000	8- 1-43	338.70
G-68778	Mercer County, Stanton .....	B&C	6,000	8- 1-43	141.00
G-68777	Spring Valley S. D. No. 76, McLean County .....	B&C	6,000	8- 1-43	150.00
G-68776	Lake Williams S. D. No. 72, Turtle Lake .....	Bldg.	20,000	8- 1-43	553.00

SATURDAY, FEBRUARY 24, 1945

(Jan. 16, 1945

Exhibit 28)hg

STATE BANK OF BURLEIGH COUNTY  
STERLING, N. DAK.

August 27, 1941

Mr. Oscar Erickson  
c/o State Insurance Dept.  
Bismarck, N. Dak.

Dear Mr. Erickson:

Enclosed herewith please find \$400 note, executed by Agnes Shirley, O. R. Vold and yourself, which is dated March 19, 1941 and came due July 1, 1941 and has been replaced by a new note signed in the same manner as this one.

Very truly yours,  
(SIGNED)

H. E. Wildfang

HEW:CH  
Enc.

Received  
August 29, 1941  
Insurance Department

\$400.00

STERLING, N. DAK. March 19th, 1941

Due 7-1, 1941 \$400.00

July 1, 1941 After Date, for Value Received, I promise to pay to the Order of State Bank of Burleigh County

Four hundred.....and.....No/100.....DOLLARS

With interest thereon from date until fully paid at the rate of seven per cent per annum, payable annually

The several makers, signers, guarantors, and endorsers hereof hereby waive presentment, demand, notice of dishonor and protest, and consent that the time of payment may be extended or this note renewed without affecting their liability thereon. No. 5176

Secured By \_\_\_\_\_ (Signed) Agnes Shirley  
Address \_\_\_\_\_ (signed) O. R. Vold  
Address Bismarck, \_\_\_\_\_ (Signed) Oscar E. Erickson  
N. Dak.

Reverse side

For value received, I hereby guarantee the payment of the within note at maturity or at any time thereafter, and hereby agree and consent to all the stipulations contained therein.

(Signed) O. R. Vold

(Signed) Oscar E. Erickson

SATURDAY, FEBRUARY 24, 1945

835

Jan. 16, 1945  
Exhibit No. 29  
HG

St. Paul, Minnesota.  
August 14th 1941

Mr. Oscar E. Erickson, Commissioner  
Bismarck, North Dakota

Dear Mr. Erickson:

I forgot to talk to you about the renewal of the Sterling note for \$400.00 for the Cafe, which was due on July 1st. You remember, I was going to try and get a renewal until October 1st. I saw Mr. Wildfang, and he agreed to this renewal.

I enclose herewith renewal note, which he gave me. I have already signed, and you should sign underneath my signature and Agnes Shirley should sign above my signature. Then return it to the State Bank of Burleigh County, Sterling, North Dakota with a check from Agnes for \$11.42 to pay interest to July 1st. Then they will return the old note, which all of us signed, marked "Paid and Cancelled"

Better take care of this soon, because I am late with it now.

Thanks and best regards, I am,

Sincerely yours,

Enc.

(Jan.16,1945 Exhibit 30)  
hg

**KLEIN LUMBER COMPANY**

Bismarck, N. D.

Febr. 12-1941

Mr. Oscar E. Rickson  
Bismarck, N. D.

Dear Sir:

I would appreciate it very much, if you could mail us a check for the Capitol Cafe account, amounting to \$244.90. We do need the money, as this is the time of the season, when collections are rather slow and we always ask our good customers to help us out.

Anything you can do on the account, will be greatly appreciated.

I also want to thank you for the good business we had from you during the past year, and hope that it will continue during 1941.

Yours truly  
Klein Lumber Company  
(Signed) Henry Klein

For itemized statements see original committee exhibit.  
Jan. 16, 1945

Exhibit No. 32  
hg

1000 Ivy Ave.  
St. Paul, Minn.  
Oct. 28, 1941

Dear Mr. Erickson:

This is Tuesday noon and I must reply to your letter written in long hand last Sunday. We both enjoyed the letter so much as a letter written in long hand seems to be so much more personal than one written on the typewriter. We both want to thank you so much for the letter.

This morning we got a little touch of winter and according to the radio it was colder in North Dakota than here in the cities. I understand it was 10 above at Minot, the coldest place in the northwest. It was down to 23 above here.

Yes, I sure enjoyed a nice visit with Bill Koch. We had no particular business to talk over so we just sat and gadded for about two hours when he had to go back down town for a supper which had been arranged for him and others. Yes, I am feeling better everyday and I am in hopes I will go to work after the first of the month. I have the doctor's permission to go down and work for an hour or so the latter part of this week. So far I have been in St. Paul three times but have not left the car. I am going down again this afternoon. Gertrude goes down every afternoon for the mail and if the weather is nice I go along. Like I said, I am getting stronger everyday and that is what counts.

From what you say in your letter I think you made a very good deal on that kitchen stove. If it is any kind of a stove at all it certainly is worth \$120.00. But like you say, I don't think that you should get rid of the griddle as that looks to be good and is made of aluminum which is hard to get today.

I am afraid that the Cut-rate Drug Store would stop you if you attempted to move out. You see, that lease works both ways. I looked at that place north from the meat market some time ago, but I am afraid it is too far north. You get out of view from the hotel and from the main highway No. 10. We will talk this over more thoroughly when I see you. Yes, that French and Welch outfit does overcharge for their work. They stuck her pretty badly on a couple of other jobs. The best way to reckon with that Cut-rate Drug Store is to threaten them with a damage suit if they open a lunch counter after holding us to the lease. He is not going to take any chances on that.

This matter of help in the office is getting to be a bad one and we must try every possible way to keep the good help we have. I have been told that before that other departments and the bank have the same trouble. Many departments are going to run short on their budget due to increased salaries. So far we should be all right on that. Yes, I realize that Mr. Pierce had been very busy and it is better to give him a little help than to take too many criticisms for delayed adjustments. I hope Hopton encountered no serious illness.

Yes, I imagine it keeps you pretty busy with Bob and Jim both gone. I see that you expect them back the latter part of this week. It is a good thing that you were able to keep

Oscar Halverson because with the whole new set of help it hard to get along. Let's hope that they will leave you alone for awhile.

I am sorry too that you could not come down here at the time that Jim was here. We sure would have enjoyed a nice visit. You could have stayed over night and we would have had the whole evening to ourselves.

This will be all for now. With kind regards to yourself and associates from Mrs. Vold and myself.

Sincerely yours,  
Otto Vold

Bismarck, N. D.  
Oct. 26, 1941

Mr. and Mrs. O. R. Vold  
St. Paul, Minn.

Friends:—

Sitting at home on this dreary, cloudy windy typical November day (Sunday) too lazy to go upstairs to use the typewriter I am going to scratch off a few lines trusting you will be able to decipher them.

There is nothing much new under the Sun. Bill Koch got back all safe and sound and sure made us happy in the reports he brought back on you. Otto, he was not only glad to find you so much intused but elated over your great improvement over what you were two weeks before.

I had hoped to get down to see you but with Jim and Bob both gone I am pretty much tied down. They should finish and get home by the end of this coming week. And from what you all say you will be back to work by that time. Otto that all kitchen stove gave out almost completely Friday so I junked it and bought one from the Gas company here for \$120.00 pluss tax. We will pay \$31.00 down and \$10.00 monthly until paid for. I believe I got a good buy, it has six plates. We will use the old grill. They tried to trade me a complete new outfit but you know the grill we have is aluminum and is better than anything new we could buy. This stove has no broiler but a broiler can be added as a separate unit, but Mrs. Schmidt thought we could get along without it for awhile at least. Then the bottom rusted out on both the dishwashing tubs. Agnes had both French and Welsh over to fix it. He put a new bottom in one then decided the other was so far gone it could not be fixed. So we have only one. Not so good. Agnes is gone for a few days. Her brother is home from Camp and got married so she went home for a few day, but her sister is taking her place. I am told French and Welsh charged \$7.50 for that one bottom. We can buy a new 2 tub tank for about \$12.00.

The rumors are again that the Cutt Rate is going to put in lunch counters that he already has they young chef from the GP there. I am watching if I see any signs I'll have a talk with him. If need be we can move out and get a better deal right north of the meat market.

I have done away with that filthy old garbage barrell and replaced it with a garbage can. It is easier to handle and can be washed every time it is emtied.

Well we will be losing another girl soon. Vivian Larson's announcement in the paper is a wedding as of Nov. 22nd. I told her she could stay on a month after that since Red had to keep Frieda on a month after she was married for Francis Carlson after four years with us did not seem to know anything about the files. Yet she was Frieda helper. J. K. Murray and others tried to steal Miss Kulanz from us so I had to raise her to \$90.00. She is worth it she is just as good a typist as those two in the Hail. Then we were about to lose Lillian Monum to civil service. She came to me for advice. I told her that was her question but since her folks were moving to Bismarck it looks like runing away for her to leave. She felt that way about it too. I told her if she stayed on we would put her back in Fire and Tornado and after Christmas raise her \$10.00, have not heard anything more so I gues that is what she has done.

(Jan. 16, 1945)

(Exhibit No. 33)

h.g.

Oscar E. Erickson  
Commissioner

(Jan. 16, 1945)

(Exhibit No. 33)

h.g.

STATE OF NORTH DAKOTA

Department of Insurance

BISMARCK

August 8, 1941

PERSONAL

Mr. Otto R. Vold, Examiner  
St. Paul Fire and Marine Insurance Company  
St. Paul, Minnesota

Dear Otto:

Since the weather has cooled off a little up here I will drop you a line or two to tell you that Beth Murray and I are getting along fine and expect to be real Fire and Tornado agents by the time you finish your examination in St. Paul.

We are getting the Burleigh and Ward County bond difficulties straightened out today. The Governor even consented to calling a special meeting at 1:15 today to get the matter straightened out.

I saw Agnes Shirley during the noon hour today and she had just received a notice from the County Treasurer for the 1940 taxes in the amount of \$24.60. I presume these are to be paid by Nick Zappas and I told her I thought the thing for her to do would be for her to send the check to the County Treasurer and present the receipt with forty cents in cash to Mr. Zappas which would clean up the balance of \$2500 that the restaurent still has of his money. I hope you can find some place down there to get a skylight made. I think it is a shame and inhumane to expect people to work in that kitchen as hot as it is.

Mr. Haase says a skylight 3'x3' is large enough but should have hail-proof glass in it and should be so arranged so that it can be raised to allow ventilation.

The Klein Lumber Company informed me that they received their check today for \$50.00 which cleans up the bill they held against the restaurant. Betty Loft-house was asking Jim Kennelly about some fifty dollar deal that she is supposed to have invested in some oil royalties. She claims to have paid the money to you with the understanding that you were to give it to Him as treasurer of some holding company. Jim doesn't know anything about it and claims he has never received the money and am wondering what you know about it.

Also I want to remind you of the report you promised to make on collections made by you and your end of the Department. Things are coming to a head here between the different state offices and I would like to be in shape for a clean report. They are meeting at Alvin Strutz' house tonight and it is hard to tell what blow-up may occur before morning.

There isn't anything new to tell you excepting that Grand Forks refused flatly to increase their insurance. They were down here on the airport proposition, in fact the whole city commission called on us and I think when Mr. Pearce gets in here he and I can straighten that out.

I am also wondering if you have your car in St. Paul and if in case I should come down there I could use it to drive out and see the folks.

With greetings from the 8th floor, I am,

Yours very truly,

(Signed) Oscar E. Erickson

COMMISSIONER.

OEE/fab

(At the bottom of this letter appears the following notation in longhand)

All is well. Hope you are the same. L. M. was here and will no doubt see you soon—O E E.

(Jan. 16, 1945 Exhibit 34)

hg

WESTERN  
UNION

PUQ9 41 — SH BISMARCK NDAK NOV 28 1941 1140A

O. R. VOLD, EXAMINER

STPAUL F AND M INS CO

LASKEN WILL TAKE SEVEN HUNDRED BACK BAR MIRROR, COOLER, ICE CREAM CONTAINERS, ROOT BEER AND COCOA COOLER DISPENSER, THREE MALTED MIXERS WITH TEN CONTAINERS ALL GLASSWARE EVERYTHING COMPLETE AS STANDS. YOU BETTER CALL HIM TODAY FOR STALL. ALSO EXTENSION OF LEASE.

OSCAR E ERICKSON

1250 PM

Phoned him

11/28/41 — 8:30 P.M.

(Jan. 16, 1945 Exhibit 35)  
hg

H. T. Murphy

W. R. Koch

MURPHY INSURANCE

218 Broadway

Bismarck, N. Dak. — Phone 577

8/8/41

Dear Otto:—

Here is a check to keep the wolf away from the door  
for a day or two.

Everything seems to be going along fairly smooth with  
your establishment on the hill. Have 1600 of the four—  
for the St. Paul, and think balance will be in shortly—  
will probably be down there about 19th or 20th.

Sincerely .

Cop.

(January 16, 1945)  
(Exhibit No. 36)  
(hg)

PUD221 11 BISMARCK NDAK AUG 20 1941 217P  
OTTO VOLD, EXAMINER:  
STPAUL FIRE AND MARINE INS CO

CALL ME FIVE SEVEN SEVEN BETWEEN FIVE  
AND FIVE THIRTY TODAY

H. T. MURPHY

226P.

(January 16, 1945)  
(Exhibit No. 38)  
(hg)

Oct. 15

Dear Otto:

Please call me at 9:00 A. M. on an R. T. Friday Morning Oct. 17—

Hope you are still progressing.

Bill

Envelope attached postmarked Bismarck, N. Dak., Oct. 15, 1941, 1:30 P M

(January 16, 1945)  
(Exhibit No. 39)  
(hg)

Memo

October 18, 1941

It is now 5:30 P. M. and your air mail letter has not yet arrived as the planes are very late today on account of the weather I presume.

I will do the necessary monday morning.

I again want you to thank your good wife for the wonderful way she treated me when I was down there:

Bill

The

Liverpool and London and Globe  
Insurance Company, Ltd.  
Established 1836

Envelope attached postmarked Bismarck, N. Dak., Oct. 18, 1941, 8:30 P M

(January 16, 1945)  
(Exhibit No. 40)  
(hg)

State of North Dakota  
Department of Insurance  
Bismarck

September First  
1941

Mr. Otto Vold  
St Paul, Minn.

Dear Otto:—

Several Times you told me that you were my banker and for me when in need to call on you. well facts are I am going to need \$2500.00 the next few days so bad that I have not been able to sleep the last night or two. I did not want to bother you but if you can arrange for a loan for me for that much it will be a great favor.

That was what I really meant the last thing I told you in front of the Hotel when you thought I meant your 2% deal. I said yes but that is not quite as personal as the other altho Larken will not turn over the one third due the Leader to Brant until I can show the 8th floor settled in full.

It has been agreed that we will have the Department picnic the second Saturday in September that will give you and Mrs Vold would plan to attend.

Well Ben Bouers is now on our neck I told him to go home and stay there for a week then we will ter to plan something for him to do. what have you to suggest? wish some one else could use some of these people once in a while, but perhaps it wil all work out alright in the end

Seems kind of something missing not to see Cap walking down the hall once in a while, but such is life. I suppose at least hope that some time a few at least will say the same thing about us but sometimes a prson has to die to be appreciated. one can hear fine things about "Cap" now from person who cussed him while he was still here.

This is all it is Sunday instead of Labor day think I will go down to the farm Monday and have dinner with the Mahins. Beth is getting better every day.

As ever

Oscar

envelope attached postmarked Bismarck, N. Dak., Aug.  
31, 1941, 6-P M

(Jan. 17 1945  
Exhibit No. 41)  
hg

Statement of the Fire and Tornado re-insurance premiums paid to the three magor insurance agencies in Bismarck by the State Fire & Tornado Fund.

<u>Year</u>	<u>Murphy Insurance Agency</u>	<u>Bismarck Insurance Agency</u>	<u>Byrne Insurance Agency</u>
1937	\$ 17,945.85	\$ 2,442.07	\$ 1,159.74
1938	15,986.98	1,757.57	882.32
1939	33,093.89	6,923.65	3,488.07
1940	36,922.09	7,524.55	2,188.22
1941	79,399.82	25,027.61	12,968.23
1942	10,208.28	9,786.56	14,421.83
1943	2,251.77	1,857.98	4,505.66
1944	4,300.00	1,104.48	NONE
<b>TOTALS</b>	<b>\$200,108.68</b>	<b>\$ 56,424.47</b>	<b>\$ 39,614.07</b>

(Jan. 17, 1945  
Exhibit No. 42)  
hg

---

Oscar Hagen Matter

---

Jim Bothne

---



---

Pay old a/c—Comm

---

See if you can raise me  
\$1,000. by the 17th  
on salary.

(Original note written by hand in ink except last entry  
in pencil.)

(Jan. 17, 1945)  
 (Exhibit No. 44)  
 h.g.

STATE OF NORTH DAKOTA  
 Department of Insurance  
 Bismarck

December 26, 1941

Mr. O. R. Vold  
 1000 Ivy Avenue  
 St. Paul, Minnesota

Dear Friend Otto:

I gave that Pipe Organ to the Evangelical Church at Jamestown in momentum of Mr. and Mrs. Robert Strutz, the Attorney General's father and mother.

Carl Strutz and Rev. Filbert of the church at Jamestown will meet you at 1000 Ivy Avenue on Tuesday morning. They would like to look at the organ so as to know what arrangements for it at the church. Anything you can do to help them will be appreciated.

Your friend

(Signed) Oscar E. Erickson  
 Oscar

OEE/fab

(January 17, 1945)  
 (Exhibit No. 45)  
 (hg)

State of North Dakota  
 Department of Insurance  
 Bismarck

November 7, 1941

Mrs. Otto Vold  
 100 Ivy Avenue  
 St. Paul, Minnesota

Dear Mrs. Vold:

In yesterday's mail I sent you the balance due on the films, thinking that you would like to take advantage of the cash discount.

However, I did not take time to write, but Miss Murray told me that she had had a note from Otto and that he had been working and felt very happy to think he was able to be back at the desk. You may assure him that everyone on the eighth floor feels the same.

I talked to Mr. Burger of the Insurance Department, this morning, and he believes they will complete the work by December 15th. Undoubtedly then you will be back in North Dakota for Christmas.

There is very little news; everything is going along as usual in the office and Beth is getting to be quite a "boss" in Otto's office. I doubt that she will give up the chair when he gets back—you can tell him that.

Sincerely,

Oscar E. Erickson

OEE:vk

(January 17, 1945)  
(Exhibit No. 45)  
(hg)

1000 Ivy Ave.  
St. Paul, Minn.  
November 10, 1941

Mr. Oscar Erickson  
Commissioner of Insurance  
Bismarck, North Dakota

Dear Mr. Erickson:

I just received your letter of November 7th. I also received your letter last week with the money enclosed for the films. Thanks very much.

Reverend Schuh from Columbus, Ohio was here the other day. He is the man at the head of the Lutheran church who has charge of the school property where the pipeorgan is located. He did not only give us this organ but two small ones as well and all for NOTHING! He tells me, however, that this is not an organ with pipes but that it is what they call a "reed organ". The electric pump which was used here for the organ was taken to Waverly, Iowa to a school the church has down there. It was a good organ when I was going to school here. Would it not be a good suggestion to have some one that knows something about organs examine it and see if it is worth shipping to Bismarck.

Otto suggests getting Al Watson to take it on one of his trucks and it is possible that he would not charge very much to crate it and bring it to Bismarck. Please let me know what you want done with it, after you got it for nothing. It may not be a thing you want at all and still it may be.

Otto was at the office all day today and don't seem to feel any worse tonight for the experience. Last week he was working on trial only and today he is on their payroll again. He is sure glad to be back at work though he is partially handicapped by the weakness in his right side. Sometimes it seems to disappoint him. The doctor says it will take sometime to get over it or get used to it. Yes, Otto heard at office last week that would not be through until December 15th. He is going to try and make a trip to Bismarck sometime this month.

With best wishes from Otto and myself,

Sincerely

Jan. 17, 1945

Exhibit 46

hg

WESTERN  
UNION

AD 18 12 COLLECT—MINNEAPOLIS MINN 21 513 P

O R VOLD—

INS DEPT—

BETTER GET SIXTY DAY OPTION AND UNDER-  
STANDING. NO WRECKING BEFORE JULY—

OSCAR W. ERICKSON.

## OPTION CONTRACT

(Jan. 17, 1945)

(Exhibit No. 47)

h. g.

For and in consideration of the sum of One Hundred and No/100 Dollars (\$100.00) to me in hand paid, the receipt whereof is hereby acknowledged, I hereby grant unto Otto R. Vold or his Assigns an Option from the September 23, 1942 to Dec. 26, 1942, to purchase, for the sum of Eighteen Thousand and No/100 - - - Dollars (\$18,000.00) the following described lands situated in the County of Ramsey, City of St. Paul, and State of Minnesota to-wit:

Lots Fifteen (15), Sixteen (16) and Seventeen (17), Block One (1) of the proposed plat marked "Exhibit A" attached hereto and made a part hereof being bounded by East Ivy Avenue, Earl Street and East Orange Avenue now owned by the American Lutheran Church.

upon the following terms and conditions, to-wit: Seventeen Thousand Nine Hundred and No/100 Dollars (\$17,900.00) upon delivery of Warranty Deed.

This option may be extended to March 26, 1943 by further payment of One Hundred and No/100 Dollars (\$100.00 by Otto R. Vold or his Assigns on or before December 26, 1942.

Said Otto R. Vold or his Assigns agree that in event said option is extended to March 26, 1943 and exercised, that he or his Assigns will pay the 1942 taxes on said property due and payable in 1943.

In event said option is extended to March 26, 1943 and further payment of One Hundred and No/100 Dollars

(\$100.00) is made as above provided, the balance due to complete this purchase shall be Seventeen Thousand Eight Hundred and No/100 Dollars (\$17,800.00).

In case said notice shall be given in due time, but transaction is not completed, then 20 days shall be given in which to examine titles, make conveyances and close the transaction.

IN PRESENCE OF ) AMERICAN LUTHERAN  
 Walter Wietzke ) CHURCH  
 Secy. Board of Trustees ) (Signed) M. C. Ewald  
 (SEAL)  
 Chairman Board of Trustees.

I Otto R Vold hereby accept said option and agree to each and all its terms.

IN PRESENCE OF ) Otto R. Vold (SEAL)  
 D. Clapp )  
 E. Montgomery )

STATE OF ILLINOIS )  
 County of LaSalle )

On this 5th day of October, 1942, before me a Notary Public, within and for said County personally appeared M. C. Ewald and Walter Wietzke to me personally known, who, being by me duly sworn did say that they are respectively the chairman and the Secretary of the Board of Trustees of the corporation named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and said Chairman and Secretary of the Board of Trustees acknowledged said instrument to be the free act and deed of said corporation.

(SEAL) F. J. Reichardt  
 Notary Public La Salle County.  
 My Commission Expires Sept. 24, 1946.

Attached thereto blueprint of map of above-described plat of land.

January 22, 1945  
 Exhibit No. 49  
 h.g.

200—9/18/36	
100—6/21/36	
x 325 Feby 37	
x 250 June 37	900
500 Bonds	500
x 600 Aug 37	350
500 12/23/36	600
200 3/14/37	—
400 11/4/37	2350
1000 1/6/38	
—	
4075	
2350	
—	
1725—1500	

On the reverse side of this paper appears the following:

AX	P—	400,000	400,000
AX	Un—	200,000	200,000
BX	P—	50,000	40,000
BX	U—	25,000	17,500
DX	P—	25,000	15,000
DX	U—	15,000	9,000

<u>B</u>	50,000
<u>BX</u>	50,000
	25,000
	—
	25,000

The above information appeared as notations in pencil on the Menu of the TIP TOE IN dated Tuesday, May 31, 1938.

Jan. 22, 1945  
Exhibit No. 50  
h.g.

March 14, 1940

Mr. Henry T. Murphy  
1120 Northeast First Street  
Fort Lauderdale, Florida

Dear Cap:

Please pardon my delay in replying to your letter written on Washington's Birthday which has been in my drawer since it was received.

Yes, the political pot has been boiling considerable the last ten days and I shall not attempt to give you the results because Francis told me she had already written you all the details. What will happen from now in is hard to say because there are at least two more conventions called for the latter part of this month.

From what I have seen in the Press I know that you have had rather unusual weather in Florida this year. Of late it should be better and I wish I could be down there with you Bismarck folks for at least a week. It gets awfully tiresome around here and it certainly would be a treat to spent some time in a different climate.

I can't say that it is true that your office has not received and state business. We have paid considerable to Hardy and others since you left here. I had a long talk with Hardy the other day and he is feeling pretty good. For a while it looked as though we were going to have another \$2700 loss on that policy but it developed to be only \$318. This was in a fire at Drayton, North Dakota, where one of the patrols has been stored for the night. At first it was reported as a total loss but when Pierce went to adjust the claim it was found to be only a partial loss.

This will be all for now and if you can find a little time I shall be glad to receive a few words from you, otherwise I shall look forward to seeing you here in the office soon so that we can have our usual afternoon coffee and a few doughnuts.

With kind personal regards to you and your family,

I am

Yours very truly,

O. R. Vold

ORV.m

Exhibit 50—(Continued)

Fort Lauderdale, Florida

Washington's Birthday

Dear Otto:

It sounded damn good to hear your voice over the telephone, and while you meet lots of people here and talk to them, it isn't like talking to your real friends at home—in other words you get lonesome at times.

I imagine that the old political pot is boiling a plenty right now and that we will have three or four sets of candidates on the Republican and other State tickets—Maybe the more the merrier, who knows—

If you have time, drop me a line about how the great game is going, and if I can do anything, tell me.

The weather has been dam unusual, and I don't think they have had a spree as bad as this in their history—I don't mean we are not enjoying it—but now the natives and the short term visitors do squak—Been to the races a few times, but can't do any better than break even, maybe that's not bad.

Francis tells me no State Biz yet, but I know you will get it to her as fast as you can, so maybe U put an extra spurt, eh—

We are going to make a trip to the Florida West Coast soon, and see what it looks like, and also see some of the N. D. tourists there. Had a nice trip with Art Mundy on his boat this week.

Expect to be home around April 20th.

Best regards to all the Bunch.

Sincerely

Cap

(January 25, 1945)  
(Committee's Exhibit No. 51)  
h.g.

State of South Dakota  
Department of Insurance  
Pierce

December 21, 1944

Honorable Senator J. B. Bridston,  
Box 539  
Grand Forks, North Dakota

Dear Senator:

In reply to your letter of December 19, 1944, pertaining to the compensation paid to our Examiners, will advise that the rate of pay returned to the Examiners by the State varies and for this reason the State does receive some benefit where the full twenty five dollars, (\$25.00), is not returned.

Very truly yours,

(Signed) W. A. Mueller,

W. M. Mueller,  
Insurance Commissioner.

WAM:rh

January 25, 1945  
Committee's Exhibit No. 52

State of Nebraska  
December 23, 1944

Senator J. B. Bridston  
Seventh Legislative District  
Box 539  
Grand Forks, North Dakota

Dear Senator:

In your letter of December 19, you raised the question as to the basis upon which our examiners are paid when working on examinations outside of the State of Nebraska.

Our examiners are paid a regular monthly salary regardless of where they work. The per diem which they charge both domestic and foreign insurance companies is paid direct to the State Treasurer and deposited to the examiners' fund. Expenses which the examiners charge while working on examinations of foreign insurance companies are paid direct to them by the companies during the course of the examination, and the examiners are allowed the full amount of expenses collected.

The State of Nebraska does benefit from the excess of per diem collected over the amount of salaries paid our examiners.

Very truly yours,

C. C. Fraizer  
Director of Insurance

(Signed) D. R. Hodder  
D. R. Hodder

Assistant to the Director

DRH:ln

(January 25, 1945)  
(Committee's Exhibit No. 53)  
h.g.

STATE OF ILLINOIS  
Department of Insurance  
Springfield

December 21, 1944

The Honorable J. B. Bridston  
The State Senate  
Capitol Building  
Bismarck, North Dakota

Dear Senator Bridston:

Replying to your letter of December 11—

Foreign examination fees are charged at the rate of \$15 per day plus transportation and actual living expenses of the examiner. Under the retaliation provision in the Illinois Insurance Code, we are permitted to charge in accordance with the provision of the home State whenever the payments for penalties, fees, charges, or taxes are greater than those provided for in our own Code. For example, if North Dakota charges Illinois companies a \$25 a day fee plus \$8 a day expenses, Illinois would then charge North Dakota companies a like amount.

Examination fees and examiners' expenses are deposited with the State Treasurer, the examiners being paid out of an appropriation set up for that purpose.

Very truly yours,

(Signed M. E. Holohan

Chief Deputy

MEH:ML

SATURDAY, FEBRUARY 24, 1945

853

(January 25, 1945)  
(Committee's Exhibit No. 54)  
h.g.

THE STATE OF WISCONSIN  
Department of Insurance  
Madison 2

January 11, 1945

Mr. J. B. Bridston  
First Federal Savings and Loan Association  
Grand Forks,  
North Dakota

Dear Sir:

In reply to your inquiry regarding the payment of per diem to examiners in our state, may we inform you that all our examiners receive is their monthly pay checks plus a reimbursement for their actual traveling expenses.

The per diem charge which is made subject to the retaliatory provision of the state in which the company being examined is domiciled, is pro-rated on the actual salary of the examiner and is paid out of a revolving examination expense account, and when paid by company is deposited to the General Fund of the state.

Very truly yours,  
(Signed) Morvin Duel  
Commissioner of Insurance.

MD-IW

(February 5, 1945)  
(Committee's Exhibit No. 55)  
h.g.

FINANCIAL STATEMENTS AND ANALYSES  
NEW CAPITOL CAFE — BISMARCK, NORTH DAKOTA  
Period from June 5, 1940, to December 31, 1943

CONTENTS

INVESTMENT ACCOUNT  
UNDIVIDED PROFITS ACCOUNT  
BALANCE SHEETS  
PROFIT AND LOSS STATEMENTS  
FURNITURE AND FIXTURE ACCOUNT  
DETAILS OF INVESTMENT ACCOUNT  
WITHDRAWALS OF PROFITS AND CAPITAL  
BY OTTO R. VOLD  
WITHDRAWALS OF PROFITS AND CAPITAL  
BY OSCAR E. ERICKSON

Committee's Exhibit No. 55—(Continued)

NEW CAPITOL CAFE

## INVESTMENT ACCOUNT

(Detailed in Schedule)

	1940	1941	1942	1943
Balance at beginning of year	\$ .....	\$4,000.00	\$5,111.55	\$4,911.55
Additions:				
Currency and Checks	4,715.00	1,850.00	200.00	.....
Proceeds of loan from State Bank Burleigh County	.....	400.00	.....	.....
	\$4,715.00	\$6,250.00	\$5,311.55	\$4,911.55
Deductions:				
Withdrawals (detailed in Schedule)	715.00	250.00	.....	.....
Transfer from Undivided Profits	.....	888.45	.....	.....
Repayment of bank loan	.....	.....	400.00	.....
	\$ 715.00	\$1,138.45	\$ 400.00	.....
Balance at end of year	\$4,000.00	\$5,111.55	\$4,911.55	\$4,911.55

Note (A) Total net currency and checks contributed as capital — \$5,800.00

## UNDIVIDED PROFITS ACCOUNT

Balance at beginning of year

Net profit (loss) for the year

(as shown by profit and loss statements)

Balance at beginning of year	.....	.....	.....	\$ 141.63
Net profit (loss) for the year	600.00	(88.45)	141.63	1,588.71
(as shown by profit and loss statements)	\$ 600.00	\$ (88.45)	\$ 141.63	\$1,730.34



Committee's Exhibit No. 55—(Continued)

## NEW CAPITOL CAFE

## BALANCE SHEETS AT DECEMBER 31

	1940	1941	1942	1943
<b>ASSETS</b>				
Cash on hand	\$ 620.00	\$ 20.00	\$ 10.00	\$ 10.00
Cash on deposit	.....	.....	.....	355.99
Merchandise account	979.67	795.49	588.60	938.60
Furniture and fixtures	3,219.00	4,982.57	4,772.54	4,451.38
	<u>\$4,818.67</u>	<u>\$5,798.06</u>	<u>\$5,371.14</u>	<u>\$5,755.97</u>
<b>LIABILITIES AND CAPITAL</b>				
Bank overdraft	\$ 741.55	\$ 143.14	\$ 317.96	\$ .....
Accounts payable	.....	543.37	.....	.....
Sales Tax Collections	77.12	.....	.....	114.08
Investment of partners	4,000.00	5,111.55	4,911.55	4,911.55
Undivided profits	.....	.....	141.63	730.34
	<u>\$4,818.67</u>	<u>\$5,798.06</u>	<u>\$5,371.14</u>	<u>\$5,755.97</u>
<b>PROFIT AND LOSS STATEMENTS</b>				
Income:				
Gross profit on sales	\$4,176.46	\$6,918.73	\$7,604.11	\$9,903.68
Sales Taxes	9.51	29.01	(2.79)	(106.04)
	<u>\$4,185.97</u>	<u>\$6,947.74</u>	<u>\$7,601.32</u>	<u>\$9,797.64</u>

## Committee's Exhibit No. 55—(Continued)

Expenses:				
Salaries	2,047.33	4,170.91	4,001.18	4,809.37
Rent of building	820.00	1,440.00	1,440.00	1,440.00
Miscellaneous expenses	718.64	1,425.28	1,527.36	1,464.96
	<u>\$3,585.97</u>	<u>\$7,036.19</u>	<u>\$6,968.54</u>	<u>\$7,714.33</u>
Profit (loss) before depreciation	\$ 600.00	\$ (88.45)	\$ 632.78	\$2,083.31
Provision for depreciation	.....	.....	491.15	494.60
Net profit (loss) for the year	<u>\$ 600.00</u>	<u>\$ (88.45)</u>	<u>\$ 141.63</u>	<u>\$1,588.71</u>
FURNITURE AND FIXTURE ACCOUNT				
Balance at beginning of year	\$ .....	\$3,219.00	\$4,982.57	\$4,772.54
Additions:				
Payment of bills, etc. for the account of Nick and Essie Zappas	2,134.05	.....	.....	.....
Payments to Otto Vold	50.00	.....	.....	.....
Payments to Oscar Erickson	59.50	33.75	.....	36.41
Payments to Buechner & Orth	.....	.....	150.00	.....
Payments to others	975.45	1,729.82	131.12	137.03
	<u>\$3,219.00</u>	<u>\$4,982.57</u>	<u>\$5,263.69</u>	<u>\$4,945.98</u>
Deduct provision for depreciation	.....	.....	491.15	494.60
Balance at end of year	<u>\$3,219.00</u>	<u>\$4,982.57</u>	<u>\$4,772.54</u>	<u>\$4,451.38</u>

NEW CAPITOL CAFE  
DETAILS OF INVESTMENT ACCOUNT

<u>Date Entered on Books</u>		<u>Date Entered on Books</u>		<u>Description of items deposited in Bank Account and Withdrawals</u>	<u>Additions</u>	<u>Deductions</u>
1940		1940				
June	5	June	5	Currency .....	\$ 200.00	\$ .....
	5		5	Currency .....	1,000.00	.....
	10		10	Currency .....	500.00	.....
	30	July	2	Check drawn by The Coffee Shop and Confectionery .....	150.00	.....
July	9		10	Check drawn by O. R. Vold .....	150.00	.....
	19		20	Check drawn by O. R. Vold .....	100.00	.....
	22		23	Check drawn by O. R. Vold .....	50.00	.....
	24		25	Check drawn by O. R. Vold .....	100.00	.....
Aug.	12	Aug.	13	Currency .....	175.00	.....
	14		15	Check drawn by O. R. Vold .....	200.00	.....
Sept.	18)	Sept.	18	Check drawn by O. R. Vold .....	100.00	.....
	)		19	Check drawn by The Coffee Shop and Confectionery .....	100.00	.....
Sept.	24			Cafe Check #306 to Otto Vold .....	.....	50.00
	25			Cafe Check #309 to Otto Vold .....	.....	50.00
	27			Cafe Check #314 to Otto Vold .....	.....	100.00
Oct.	2	Oct.	2	Currency .....	175.00	.....
	2		2	Currency .....	80.00	.....
	3			Cafe Check #330 to Otto Vold .....	.....	80.00
	16)		16	Check drawn by O. R. Vold .....	100.00	.....
	)	Nov.	4	Check drawn by The Coffee Shop and Confectionery .....	100.00	.....

Nov. 14	Nov. 14	Check drawn by O. R. Vold .....	25.00	.....
15		Cafe Check #403 to Otto Vold .....		25.00
19	19	Check drawn by O. R. Vold .....	60.00	.....
20		Cafe Check #415 to Otto Vold .....		60.00
23	23	Check drawn by O. R. Vold .....	50.00	.....
23		Cafe Check #417 to Otto Vold .....		50.00
25	26	Check drawn by O. R. Vold .....	100.00	.....
26		Cafe Check #423 to Otto Vold .....		100.00
Dec. 2	Dec. 3	Check drawn by The Coffee Shop and Confectionery .....	200.00	.....
14	14	Check drawn by O. R. Vold .....	100.00	.....
18	19	Check drawn by O. R. Vold .....	100.00	.....
23	23	Check drawn by The Coffee Shop and Confectionery .....	200.00	.....
31		Cafe Check #494 to Coffee Shop and Confectionery .....		200.00
31)		(\$600.00 entered on books) .....		)
)	<u>1941</u>			)
)	Jan. 8	Currency .....	300.00)	.....
)	16	Check drawn by O. R. Vold .....	100.00)	.....
)	17	Check drawn by The Coffee Shop and Confectionery .....	200.00)	.....
<u>1941</u>				
Feb. 24	Feb. 26	Check drawn by The Coffee Shop and Confectionery .....	300.00	.....
Mar. 11)	Mar. 11	Currency .....	\$ 200.00	\$.....
)	20	Check drawn by The Coffee Shop and Confectionery .....	100.00	.....
15	15	Check drawn by The Coffee Shop and Confectionery .....	250.00	.....
15		Cafe Check #662 to O. R. Vold .....		150.00
15		Cafe Check #663 to O. R. Vold .....		100.00
24	25	Check drawn by The Coffee Shop and Confectionery .....		
		(For proceeds of loan from State Bank of Burleigh County)	400.00	.....
Apr. 14	Apr. 15	Currency .....	250.00	.....

SATURDAY, FEBRUARY 24, 1945

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Committee's Exhibit No. 55—(Continued)

NEW CAPITOL CAFEDETAILS OF INVESTMENT ACCOUNT (Continued)

<u>Date Entered on Books</u>	<u>Date Deposited in Bank</u>	<u>Description of items deposited in Bank Account and Withdrawals</u>	<u>Additions</u>	<u>Deductions</u>
May 16	May 16	Currency .....	250.00	.....
July 1)	July 2	Currency .....	400.00	.....
)	18	Check drawn by The Coffee Shop and Confectionery .....	100.00	.....
Dec. 31		Debit balance in Undivided Profit Account consisting of fol- lowing items applied to reduce investment account:		
		Withdrawals by Oscar Erickson .....	\$400.00	
		Withdrawals by O. R. Vold .....	400.00	
		Net loss from operations in 1941 .....	88.45	888.45
<u>1942</u>	<u>1942</u>			
Jan. 13		Cafe Check #60 to State Bank of Burleigh County .....	.....	50.00
Mar. 5		Cafe Check #144 to State Bank of Burleigh County .....	.....	50.00
24		Cafe Check #172 to State Bank of Burleigh County .....	.....	50.00
June 22		Cafe Check #304 to State Bank of Burleigh County .....	.....	50.00
Oct. 29		Cafe Check #8 to State Bank of Burleigh County .....	.....	200.00
Oct. 31	Oct. 31	Currency .....	200.00	.....
			<u>\$7,165.00</u>	<u>\$2,253.45</u>
			2,253.45	
Dec. 31		Balance .....	<u>\$4,911.55</u>	

(No Charges in 1943)

NOTE: Checks drawn by The Coffee Shop and Confectionery were drawn on the First State Bank of Harvey, North Dakota.  
Checks drawn by O. R. Vold were drawn on The Bank of North Dakota.

## Committee's Exhibit No. 55—(Continued)

## SUMMARY OF INVESTMENT ACCOUNT

Deposits of Currency .....	\$3,730.00	
Less Withdrawal by Check .....	80.00	\$3,650.00
Check deposited in lieu of proceeds of loan from bank .....	400.00	
Less Checks to pay loan .....	400.00	
Checks deposited .....	3,035.00	
Less Withdrawals .....	885.00	2,150.00
Total Net Investment .....		\$5,800.00
Deduct transfer from Undivided Profits .....		888.45
Balances at December 31, 1943 .....		<u>\$4,911.55</u>

NEW CAPITOL CAFEWITHDRAWAL OF PROFITS AND CAPITALBY OTTO R. VOLD

<u>Date</u>	<u>Check No.</u>	<u>Amount</u>	<u>Total</u>
<u>1940</u>			
July 15	141	\$ 50.00	
Aug. 15	226	50.00	
Sept. 16	296	50.00	
Oct. 11	336	50.00	
Nov. 11	394	50.00	
Dec. 9	439	50.00	\$ 300.00
<u>1941</u>			
Jan. 8	504	\$ 50.00	
Jan. 31	567	50.00	
Feb. 15	609	50.00	
Feb. 28	625	50.00	
Mar. 10	649	50.00	
Apr. 11	713	50.00	
May 9	770	50.00	
June 10	820	50.00	\$ 400.00
<u>1942</u>			
None			
<u>1943</u>			
Oct. 14	979	\$150.00	
Dec. 3	10,080	150.00	\$ 300.00
<u>1944</u>			
Feb. 2	69	\$109.55	
Feb. 2	70	109.55	\$ 219.10
TOTAL.....			<u>\$1,219.10</u>

Committee's Exhibit No. 55—(Continued)

NEW CAPITOL CAFE  
WITHDRAWALS OF PROFITS AND CAPITAL  
BY OSCAR E. ERICKSON

<u>Date</u>	<u>Check No.</u>	<u>Amount</u>	<u>Total</u>
<u>1940</u>			
July 15	140	\$ 50.00	
Aug. 15	225	50.00	
Sept. 16	297	50.00	
Oct. 15	345	50.00	
Nov. 11	395	50.00	
Dec. 9	440	50.00	\$ 300.00
<u>1941</u>			
Jan. 8	508	\$ 50.00	
Jan. 31	566	50.00	
Feb. 17	612	50.00	
Feb. 28	626	50.00	
Mar. 10	650	50.00	
Apr. 11	714	50.00	
May 9	770	50.00	
June 10	821	50.00	\$ 400.00
<u>1942</u>			
None			
<u>1943</u>			
Dec. 3	10,079	\$700.00	\$ 700.00
<u>1944</u>			
Feb. 2	67	\$255.62	
Feb. 2	68	255.62	\$ 511.24
<u>TOTAL.....</u>			<u>\$1,911.24</u>

Comm. Exhibit No. 56  
 February 5, 1945  
 h. g.

SUMMARY OF ITEMS DEPOSITED IN THE ACCOUNT OF  
 OSCAR E. ERICKSON  
 IN THE BANK OF NORTH DAKOTA

\*\*\*\*\*

Period from March 31, 1938 to December 31, 1943

DESCRIPTION OF ITEMS	1938	1939	1940	1941	1942	1943
Currency (detailed by dates in Schedule) .....	\$ 1,356.00	\$ 4,510.00	\$ 1,890.00	\$ 4,900.00	\$ 1,495.00	\$ 506.00
State Warrants .....	1,223.40	2,905.53	2,730.27	2,491.20	2,478.28	2,192.81
Checks drawn on:						
The Bank of North Dakota .....	6,783.30	868.10	930.74	550.00	601.85	500.45
First National Bank, Bismarck, N. D. ....	200.00	400.00	67.06	1,800.00	137.50	2,818.39
Dakota National Bank, Bismarck, N. D. ....	1,189.60	200.00	.....	1,850.00	11.10	738.40
Bank of Steele, Steele, N. D. ....	2,240.20	15.00	574.36	625.00	1,308.70	4,633.78
Farmers State Bank, Dickinson, N. D. ....	.....	3,040.00	.....	.....	1,175.00	.....
Dakota National Bank, Fargo, N. D. ....	.....	4,000.00	500.00	.....	.....	.....
Fargo National Bank, Fargo, N. D. ....	.....	.....	.....	.....	2,000.00	.....
Central National Bank & Trust Co., Des Moines, Ia. ....	.....	1,000.00	300.00	.....	.....	400.00
Stockyards National Bank, So. St. Paul, Minnesota .....	.....	.....	.....	2,136.01	1,629.89	.....
First National Bank, Mpls., Minn. ....	.....	.....	.....	.....	1,169.04	.....
Miscellaneous Checks, Money Orders, etc. ....	1,075.00	961.28	1,355.06	3,218.05	2,841.22	2,297.42
Not Analyzed (deposit slips missing) .....	.....	.....	.....	.....	.....	289.70
Cash out deducted from deposits (principally from deposits of state warrants) ....	( 200.00)	( 595.10)	( 760.18)	(1,147.00)	(1,054.00)	( 949.00)
<b>TOTAL .....</b>	<b>\$13,867.50</b>	<b>\$17,304.81</b>	<b>\$ 7,587.31</b>	<b>\$16,423.26</b>	<b>\$13,793.58</b>	<b>\$13,427.95</b>

SATURDAY, FEBRUARY 24, 1945

CURRENCY INCLUDED IN DEPOSITS IN THE  
ACCOUNT OF  
OSCAR E. ERICKSON  
IN THE BANK OF NORTH DAKOTA

Period from March 31, 1938 to December 31, 1943

Date	<u>Amount</u>
1938	
April 1.....	\$ 21.00
July 28.....	10.00
Aug 12.....	400.00
17.....	500.00
Sept. 20.....	200.00
Nov. 12.....	225.00
<b>TOTAL.....</b>	<b><u>\$1,356.00</u></b>

1939	
Jan. 10.....	300.00
25.....	340.00
Feb. 11.....	80.00
Mar. 1.....	500.00
22.....	500.00
Apr. 4.....	200.00
May 24.....	300.00
June 20.....	190.00
July 18.....	1,000.00
Sept. 22.....	150.00
Oct. 19.....	950.00
<b>TOTAL.....</b>	<b><u>\$4,510.00</u></b>

1940	
Mar. 15.....	100.00
Apr. 18.....	295.00
22.....	400.00
June 3.....	5.00
7.....	350.00
26.....	300.00
July 17.....	440.00
<b>TOTAL.....</b>	<b><u>\$1,890.00</u></b>

1941	
Jan. 2.....	500.00
Feb. 18.....	50.00
Apr. 12.....	500.00
22.....	500.00
May 3.....	300.00
16.....	200.00
June 18.....	100.00
July 17.....	500.00
Aug. 6.....	350.00
7.....	400.00
Sept. 29.....	1,000.00
Dec. 6.....	200.00
31.....	300.00
<b>TOTAL.....</b>	<b><u>\$4,900.00</u></b>

1942		
Jan.	9.....	275.00
	16.....	300.00
Aug.	24.....	5.00
	26.....	500.00
Oct.	14.....	100.00
Dec.	22.....	315.00
TOTAL.....		<u>\$1,495.00</u>

1943		
Mar.	23.....	280.00
	31.....	40.00
Sept.	3.....	60.00
	16.....	26.00
Oct.	14.....	100.00
TOTAL.....		<u>\$ 506.00</u>

February 10, 1945  
 Committee Exhibit No. 57  
 h.g.

State of North Dakota  
 Office of  
**MOTOR VEHICLE REGISTRAR**  
 Bismarck, N. D.

January 26, 1945

Representative Arthur E. Johnson  
 Chairman, Interim Investigation Committee  
 Bismarck, North Dakota

Dear Sir:

In tracing the records of this Department further we find another car registered in the name of Ella B. Erickson, Bismarck, North Dakota, as follows: Title No. 367426, covering a 1938 Plymouth Sedan, Motor No. P6 9402, purchased new November 10, 1937, from Pete's Garage, Tappen, North Dakota, which was subsequently sold to the Blaisdell Motor Company of Minot, North Dakota, under a notary's date of December 9, 1939, on a duplicate certificate of title which had been issued by this department on July 29, 1939, on application of Ella B. Erickson.

The registration license No. 1927, under which this owner continually from year to year registers her vehicles, led us to the record of this particular vehicle, which we are pleased to submit to you at this time, which we trust you find satisfactory.

Sincerely,

(Signed) B. E. Robinson  
 Motor Vehicle Registrar

BER:ab

February 10, 1945  
Committee's Exhibit No. 58  
h.g.

State of North Dakota  
Office of  
MOTOR VEHICLE REGISTRAR  
Bismarck, N. D.

February 7, 1945

Representative Arthur E. Johnson  
Chairman Interim Investigation Committee  
Bismarck, North Dakota

Dear Sir:

We are pleased to enclose herewith four photostatic copies taken from the records of this Department, covering the registration of one 1939 Chrysler sedan, Motor No. C22-53171, Serial No. 7619062, and registered under Tital No. 401042, and we do hereby certify that these photostatic copies are a true reproduction of such records as they appear in this Department, and are as follows:

The original "Application for Certificate of Title to a Motor Vehicle," signed by Ella B. Erickson, whose signature is acknowledge as of July 5, 1939. This copy indicates that the application for certificate of title was changed on the face thereof to real Ella B. Erickson in lieu of Oscar E. Erickson in that that part of the name and signature had been changed by striking out the Oscar E. part of the name and inserting in place therefo the name Ella B. This copy bears our date of July 13, 1939, stamped thereon in the upper right-hand corner. Also note that a duplicate certificate of title was issued to this applicant on June 18, 1941.

Also attached is a photostatic copy of reverse side of "Application for Certificate of Title to a Motor Vehicle," showing dealers report of new motor vehicle sale, assigning this vehicle by the Blaisdell Motor Company to Oscar E. Erickson, Bismarck, North Dakota, under date of July 3, 1939. On the upper left hand corner will be found the license No. 132614, issued by this Department for 1939, and No. 1927 for the year 1940.

Also enclosed will be found photostatic copy of the face of a duplicate certificate of title issued by this Department to Ella B. Erickson on the vehicle described above, issued by us on June 18, 1941, identified by showing on the face thereof that the original title had been issued by us on July 13, 1939.

Also enclosed is a photostatic copy of the reverse side of the duplicate certificate of title, showing thereon in Part 1 the assignment of this vehicle by Ella B. Erickson to Corwin Churchill Motors, Inc., whose signature is acknowledged under date of June 28, 1941. "Re-assignment by Registered Dealer," Part 2, by Corwin Churchill Motors, Inc., to Elmer Brandt, Lark, North Dakota, by acknowledgment dated of

June 28, 1941. Also shown thereon Part 3 "Application for Certificate of Title by Purchaser," signed by Elmer Brandt, whose signature was acknowledged under date of June 28, 1941.

We trust that you find these copies and their explanation thereof satisfactory and giving the desired information.

Sincerely,

(Signed) B. E. Robinson

MOTOR VEHICLE REGISTRAR

BER:ab

Enc. 4

Attached to this letter are photostatic copies as above described, identified as Exhibits 58(a), 58(b), 58(c) and 58(d), respectively.

February 10, 1945  
Committee's Exhibit No. 59  
h.g.

No. 5818

CERTIFICATE

I do hereby certify that the within bill, claim, account or demand, is just and true; that the money therein charged was actually paid for the purposes therein stated; that the services therein charged were actually rendered and are of the value therein charged; that no part of such bill, claim, account or demand has been paid; and that the goods therein charged were actually delivered and were of the value charged.

Sign Here J. E. McKoane

If signed for a Firm or Company  
show authority on this line.

TAKE NOTICE

Chapter 244 of the 1915 Session Laws.

" \* \* \* \* \* Provided, that any person, firm or company, falsely certifying or certifying to any false bill, claim, account, or demand, as hereinbefore set forth, shall upon conviction forfeit his right to collect such bill, claim, account or demand, or any part thereof, and shall further be subject to the penalty prescribed for one found guilty of committing a misdemeanor," also requires all items of expense of \$1.00 and over to be covered by sub-vouchers.

SF&T Fund—Voucher

The State of North Dakota

Minot, No. Dak. June 30th 1939

STATE FIRE AND TORNADO FUND  
 STATE OF NORTH DAKOTA  
 Bismarck, North Dakota

To J. E. McKoane, Insurance

Address Minot, North Dakota

8-1-1939—To Connecticut No. 45146—Sch. Bldg. & Cont. Langdon .....	\$267.06
Do To Continental No. S594—Sch. Bldg. & Cont. Crosby, Holmes S/D No. 3.....	370.30
Do To Columbia No. FW721946 Sch. Bldg. & Cont. Wilton. S/D No. 1 Montefiore.....	102.52
Do To Security No. 44098—Contents Juzeler S/D No. 20—Golden Valley, N. D.....	44.64
Do To Home No. 0154—Sch. Bldg. and Contents S/D No. 1, Pembina, N. D.....	478.00
Do To Standard No. SFT87015 Sch. Bldg. & Cont. Bathgate S/D No. 25, Bathgate, N. D. ....	165.10
Do To American No. FW50113 Sch. Bldg. and Cont. Wheatland S/D No. 3, Crary, N. D.	150.00
Fire .....	1387.71
Tor .....	189.91
	1577.62

**DEBIT** Premiums Payable—Excess **ACCOUNT**

DEPARTMENT APPROVAL  
 Goods Received—Service Performed  
 (Signed) O. R. Vold  
Manager, State Fire & Tornado Fund  
June 30th 1939

Approves \$1577.62  
(Signed) Oscar E. Erickson  
 Director, State Fire  
 & Tornado Fund  
June 30th 1939



## SF&amp;T Fund—Voucher

The State of North Dakota

Minot, North Dakota June 30th 1939

STATE FIRE AND TORNADO FUND  
STATE OF NORTH DAKOTA  
Bismarck, North Dakota

To J. C. Blaisdell, Sr.Address Minot, North Dakota.


---

Fire and Tornado Insurance, written in the London  
& Lancashire Insurance Company, Limited

Ramsey County Court House and Conts.		
F. & T., 2 yrs., .....	\$33,400	524.50
Walhalla Sch. Dist. No. 27, Conts.		
F. & T. 2 yrs. ....	48,200	695.92
		<u>\$1220.42</u>

  

Fire	1106.18
Tor.	114.24
	<u>1220.42</u>

---

DEBIT Premiums Payable—Excess ACCOUNT

DEPARTMENTAL APPROVAL  
Goods Received—Service Performed

(Signed) O. R. Vold

Manager, State Fire & Tornado FundJune 30th.....1939Approves \$1220.42

(Signed) Oscar E. Erickson  
Director, State Fire &  
Tornado Fund

June 30th 1939 19

February 14, 1945  
 Committee's Exhibit 66  
 h.g.

SUMMARY OF INCOME TAX RETURNS FILED BY  
 OSCAR E. and ELLA ERICKSON with STATE OF NORTH DAKOTA  
 For the Fiscal Years ended June 30, 1940 to June 30, 1944, inclusive.

	YEAR ENDED JUNE 30				
	1940	1941	1942	1943	1944
<u>INCOME</u>					
Salaries, wages, commissions .....	\$ 2400.00		\$ 2400.00	\$ 2400.00	\$ 3120.00
Income from business or profession (loss) .....	( 3617.13)		( 4200.42)	55.64	( 380.59)
Income from farming (loss) .....	( 970.93)		763.38	(2214.28)	( 850.70)
Income from partnerships					
Withdrawals from business (Mrs. Erickson) .....			720.00	720.00	
Rents and royalties (loss) .....			128.00	850.00	( 41.41)
Other income .....				427.00	
Total Income—(loss) .....	( 2188.06)		( 189.04)	2238.36	1847.30
<u>DEDUCTIONS</u>					
Taxes paid .....			50.00	100.00	112.06
Contributions .....	230.00		201.75	146.00	456.72
Medical expenses .....					134.35
Other deductions .....			478.00	164.00	914.38
Total Deductions .....	230.00		729.75	410.00	1617.51
Net Income (loss) .....	( 1958.06)	( A)	( 918.75)	1828.36	229.79

Note (A)—A return for the calendar year 1940 bearing the following notation only was filed: "I file on a fiscal year basis. Next report is due July 1, 1941."

SATURDAY, FEBRUARY 24, 1945

871

January 24, 1945  
 Oscar E. Erickson's Exhibit A  
 h.g.

STATE OF NORTH DAKOTA )  
 ) ss.  
 COUNTY OF BURLEIGH )

AFFIDAVIT

Robert H. Strutz being first duly sworn deposes and says:

THAT he was employed as Chief Clerk and Assistant Manager of the North Dakota State Fire and Tornado Fund from 1937 until the month of August, 1940;

THAT on June 30th, 1939 the said affiant was employed in such Department as Assistant Manager; that late in the evening of June 30th, 1939, O. R. Vold, who was then the Manager of the North Dakota State Fire and Tornado Fund, called the said affiant by telephone and asked him to appear at once at the Office of the State Fire and Tornado Fund in the State Capitol Building to sign two checks;

THAT the affiant went to the said office in compliance with the request of the said O. R. Vold and signed two checks for excess insurance;

THAT one check bore the number 5817 and was made payable to J. C. Blaisdell, Sr., Minot, North Dakota; and that the said check number 5817 was for the sum of Twelve Hundred Twenty Dollars and Forty-Two Cents (\$1220.42); that the said affiant signed the said check while he was assistant manager and the said O. R. Vold signed the said check as Manager of the State Fire and Tornado Fund;

THAT the said affiant also signed a check bearing the number 5818 which was made payable to J. E. McKoane of Minot, North Dakota; that the said check number 5818 was for the sum of Fifteen Hundred Seventy-Seven Dollars and Sixty-Two Cents (\$1577.62); that the affiant signed the said check number 5818 while he was Assistant Manager of the said Fire and Tornado Fund and the said check was also signed by O. R. Vold as Manager of such Fund.

Affiant further states that he signed the said checks numbers 5817 and 5818 at the special instance and request of the said O. R. Vold, Manager of said Fund: that the said O. R. Vold requested this affiant to sign the said checks as Assistant Manager because Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, was out of the city and that it was necessary to sign these checks quickly as Mr. Blaisdell had to get back to Minot, North Dakota that same night, June 30th, 1939;

THAT the said O. R. Vold informed the affiant that both of these checks were for excess insurance.

(Signed) Robert H. Strutz

Robert H. Strutz

Subscribed and sworn to before me this 18 day of January, 1945.

Beth Murray

Notary Public, Burleigh County  
 North Dakota.

My Comm. Expires

Aug. 11, 1947

(SEAL)

(Jan. 24, 1945 )  
 (Oscar E. Erickson's Exhibit B)

h.g.

For Excess Insurance.

STATE OF NORTH DAKOTA  
 State Fire and Tornado Fund

Second Series  
 5817

Bismarck, June 30th, 1939

**PAY**  
**TO THE**  
**ORDER OF J. C. Blaisdell, Sr., Minot, North Dakota \$1220.42**  
 The Sum of \$1220 and 42 cts.

Charge State Fire and Tornado Fund

To the STATE TREASURER  
 of North Dakota  
 Bismarck

(Signed) Robert H. Strutz

\_\_\_\_\_  
 Oscar E. Erickson, Director of  
 State Fire and Tornado Fund

(Signed) O. R. Vold

\_\_\_\_\_  
 Manager

(Stamp on face: indicating  
 payment by State Treasurer  
 July 8, 1939.)

The above check bears the endorsement of J. C. Blaisdell, Sr., and the rubber stamp inscription, "Pay First National Bank, Fairmont, Minnesota, or Order, J. C. BLAISDELL."

It also bears other rubber stamp inscriptions as follows: The Bank of North Dakota, bearing date of July 7, 1939, endorsee not discernible; First National Bank, St. Paul, Minnesota, bearing date of July 5, 1939.

(Jan. 24, 1945 )  
 (Oscar E. Ericksons' Exhibit C)  
 h.g.

**For Excess Insurance**

**STATE OF NORTH DAKOTA**  
 State Fire and Tornado Fund

Second Series  
 5818  
 Bismarck, June 30th, 1939

**PAY**  
**TO THE**  
**ORDER OF J. E. McKoane, Minot, North Dakota \$1577.62**  
 The Sum of \$1577 and 62 cts.

**Charge State Fire and Tornado Fund**

**To the STATE TREASURER**  
 of North Dakota  
 Bismarck

(Signed) Robert H. Strutz  
 \_\_\_\_\_  
 Oscar E. Erickson, Director of  
 State Fire and Tornado Fund

(Signed) O. R. Vold  
 \_\_\_\_\_  
 Manager

(Stamp on face of check  
 indicating payment by State  
 Treasurer July 5, 1939.)

The above check bears the endorsement of J. E. McKoane, and the rubber stamp inscription, "Pay to the order of Any Bank or Banker, all prior endorsements guaranteed, June 30, 1939, First National Bank, Minot, North Dakota.

It also bears a rubber stamp inscription which is not discernible, under date of July 3, 1939.

REPORT ON  
SPECIAL INVESTIGATION

DEPARTMENTS, FUNDS, ETC.  
under jurisdiction of  
COMMISSIONER OF INSURANCE  
of the  
STATE OF NORTH DAKOTA

Bismarck, North Dakota

August 31, 1944

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ERNST & ERNST  
Accountants and Auditors  
System Service  
Minneapolis

January 2, 1945.

Interim Investigating Committee  
State of North Dakota  
Bismarck, North Dakota

Gentlemen:

In accordance with your authorization and instruction, we have made an investigation of the several departments, agencies, and funds which are under the jurisdiction of the Insurance Commissioner of the State of North Dakota for the period, in general, from January 1, 1937 to August 31, 1944. We did not make a detailed audit of all the transactions for the period under review, the purpose of our engagement being to investigate the matters set forth in Section 3, Chapter 29 of the Special Session Laws of 1944, which is quoted, in part, as follows:

" . . . . . whether or not the Insurance Commissioner and the employees, agencies, departments, and funds within the Insurance Department, or any of them, have failed or refused to comply with legislation and resolutions passed by the Regular Session of 1943 or the Special Session of 1944; whether or not they or any of them have made payments for reinsurance not authorized by the Legislature; whether or not they or any of them have been engaged in questionable practices in the adjustment of losses; whether or not they or any of them have been involved in questionable bond transactions with or without the assistance of other state departments or institutions, and whether or not there are any other practices, acts or conduct in said departments, agencies or funds, by any of the officers or employees thereof, including the Commissioner and the heads of the several agencies, departments and funds, which should merit further or curative legislative action."

The subject matter of this report has been arranged to follow as closely as practicable in the order as set forth in the preceding paragraph.

SESSION LAWS OF 1943 AND 1944

CATASTROPHE INSURANCE

Chapter 152 of the Session Laws for 1943 directs and requires the Commissioner to procure and keep in force a policy or policies of excess catastrophe insurance against the hazards of fire and windstorm on all property insured in the State Fire and Tornado Fund, except in the case of fireproof buildings in protected areas (Class A and AX risks) which protection is to cover the hazard of windstorm only. The catastrophe insurance is to cover losses in excess of \$100,000.00 arising from any single catastrophe. The statute also provides that if the Commissioner of Insurance

finds that insurance companies would not include the state mill and elevator, the twine and cordage plant, and other extraordinary risks of like nature, he may secure reinsurance on such risks, over \$100,000.00 through separate bids.

The following invitation to bid for excess catastrophe insurance was published in the Bismarck Tribune on July 12, 1943:

#### NOTICE

I, Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, hereby give Notice that on Monday, July 26th, 1943, at the offices of the State Insurance Department on the 8th floor in the State Capitol Building at Bismarck, North Dakota, bids will be accepted for excess Catastrophe Insurance for Fire and Windstorm on all property insured in the State Fire and Tornado Fund in accordance with the provisions of Chapter 152 of the Session Laws of North Dakota for 1943.

#### IT IS UNDERSTOOD THAT:

1. All policy agreements shall run for a two-year period commencing on the first day of August, 1943.
2. A schedule of all property insured by the State Fire and Tornado Fund is available in the offices of the State Fire and Tornado Fund to any person, firm or corporation, who may request the same.
3. All companies desiring to issue a policy agreement of excess Catastrophe Insurance must be admitted Companies in North Dakota, to enable the Commissioner of Insurance to ascertain whether such companies are financially responsible and qualified as provided for in Section 2 of Chapter 152 of the Session Laws of North Dakota for 1943.
4. Bids will be received on the basis of a certain percentage of the published rates on all property insured by the State Fire and Tornado Fund, which is provided for in Section 13 of Chapter 159 of the Session Laws of North Dakota for 1943.
5. No company shall be permitted to assume a share of such Catastrophe Insurance risk in excess of the amount permitted by law.

Dated at Bismarck, North Dakota, July 9, 1943.

OSCAR E. ERICKSON,  
Commissioner of Insurance.

No bids were received in response to this notice.

On August 7, 1943, the Commissioner of Insurance issued Administrative Order No. 1, wherein he defines the term catastrophic loss to mean: "Any aggregate loss, that is, any loss or accumulation of losses in excess of \$100,000.00 occasioned from and after the effective date of such policy or policies to the 31st day of July, 1944, and from the first day of August to the thirty-first day of July of each succeeding year."

The order also sets out that the mill and elevator, and the twine and cordage plant, and the contents thereof, have been determined to be extraordinary risks, and provided that bidders may tender alternative bids including or excluding those properties from bids submitted.

On August 9, 1943, a second invitation to bid on catastrophe insurance was published in the Bismarck Tribune. This invitation contained reference to Administrative Order No. 1, but in other particulars was similar to the preceding notice. No bids were received in response to this notice.

In this connection, no appropriation was made to provide for the payment of premiums on catastrophe insurance by the Legislature in its Session of 1943, which may be a reason why no bids were received. Or, possibly provision should be made in the statutes for wider publication of the invitations to bid than the present statute provides.

An appropriation of \$20,000.00 for acquiring catastrophe insurance was made by the Legislature in its special session of 1944. We inquired if any proceedings had been had to acquire a general catastrophe policy since this appropriation became available. The Commissioner informed us that as the statute provides for calling for such bids in the odd numbered years nothing has been done about the matter, as this (1944) is an even numbered year.

The State Mill and Elevator and the Twine and Cordage Plant have been classified as extraordinary risks in the Commissioner's Administrative Order No. 1. The status of the reinsurance on these properties at August 1, 1943 and the changes since made therein are as follows:

Chapter 159 of the Session Laws of 1943 (Section 21) provides among other things that: "All reinsurance policies taken or held by the Fund shall be canceled as of the first day of August 1943, and all returned premiums thereon shall be added to the reserve fund."

At August 1, 1943, the following reinsurance was held by the State Fire and Tornado Fund on the State Mill and Elevator which reinsurance was not canceled by the Fund:

Coverage	Term		Amount of Insurance	Premium Paid
	From	To		
Buildings and machinery—fire	12-31-42	12-31-44	\$1,250,000.00	\$5,228.25
do —tornado	12-31-42	12-31-44	1,000,000.00	385.00
Local elevator—fire and tornado	12-31-42	12-31-44	26,000.00	612.04
Grain and flour—reporting form:				
Provisional amount	6-30-43	6-30-44	1,000,000.00	2,060.00
Adjustment on monthly reports to		6-30-44		2,853.01

The following reinsurance was placed on the Twine and Cordage plant as at August 1, 1943 and subsequently, without bids having been received:

Building and contents, except twine	Term		Amount of Insurance	Premium Paid
	From	To		
Twine stocks	8- 1-43	8- 1-45	\$ 222,819.99	\$3,900.09
do —additional	8- 1-43	8- 1-44	100,000.00	713.00
do	11- 5-43	8- 1-44	50,000.00	309.85
do — do	12-13-43	8- 1-44	25,000.00	142.14
TOTAL			\$5,065.08	

The following invitation to bid for reinsurance on the flour and grain stocks of the mill and elevator was published in the Bismarck Tribune on September 23, 1944:

NOTICE

I, Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, hereby give notice that on October 6th, 1944, at two o'clock P. M., at the office of the State Insurance Department in the Capitol Building in Bismarck, North Dakota, lowest responsible bids will be accepted for reinsurance in accordance with the provisions of Chapter 152, Session Laws of North Dakota for 1943, in the amount of One Million Dollars (\$1,000,000.00) for fire and extended coverage on flour and grain stock, contained in the State Mill and Elevator, Grand Forks, North Dakota, and/or for One Hundred and Fifty Thousand (\$150,000.00) fire and extended coverage upon twine, twine stock and twine processing materials at the Twine and Cordage Plant at Bismarck, North Dakota, insured in the State Fire and Tornado Fund.

All companies submitting bids must be admitted companies of the State of North Dakota.

Policies shall be in force and effect from date of acceptance to August 1, 1945.

Dated at Bismarck, North Dakota this 22nd day of September, 1944.

OSCAR E. ERICKSON,  
Commissioner of Insurance.

Two bids were received by the Fund in response to this invitation, copies of the body of the proposals being as follows:

- (1) From Bismarck Insurance Agency—received October 5, 1944.

Mr. Oscar Erickson  
Commissioner of Insurance  
State of North Dakota  
Capitol Building  
Bismarck, North Dakota.

Dear Mr. Erickson:

In accordance with your advertisement for bids for reinsurance on the contents of the State Mill and Elevator at Grand Forks, North Dakota and twine and twine stock at the Twine and Cordage Plant at Bismarck, North Dakota, we hereby respectfully submit our bid, being the present published rate on these properties or the rate to be published for this coverage.

Respectfully submitted,

BISMARCK INSURANCE AGENCY  
W. A. HART

WAH:es

W. A. Hart, Manager.

- (2) From Murphy Insurance—received October 6, 1944.

Mr. Oscar E. Erickson,  
Commissioner of Insurance  
State of North Dakota  
Bismarck, N. Dak.

Dear Sir:

In accordance with your call for bids covering grain and flour stock contained in the State Mill and Ele-

vator at Grand Forks, N. Dak., in the amount of \$1,000,000.00 fire and extended coverage; and \$150,000.00 fire and extended coverage upon twine, twine stock and twine processing materials at the Twine and Cordage plant at Bismarck, N. D.:

The premium for \$1,000,000.00 fire and extended coverage insurance on grain and flour stock, blanket coverage in all buildings and tanks at the State Mill and Elevator at Grand Forks, N. Dak., will be \$1,640.16 for the period from October 6, 1944 to August 1, 1945.

The premium for \$150,000.00 fire and extended coverage insurance on twine, twine stock and twine processing materials contained in the warehouse buildings at the Twine and Cordage plant at Bismarck, N. D., will be \$867.81 for the period from October 6, 1944 to August 1, 1945.

The premium for \$150,000.00 fire and extended coverage insurance on twine, twine stock and twine processing materials contained in the twine and cordage manufacturing plant at Bismarck, N. D., will be \$1,099.15 for the period from October 6, 1944 to August 1, 1945.

Respectfully submitted by

W. R. KOCH

Murphy Insurance, Bismarck, N. D.,  
Agents for  
St. Paul Fire & Marine Insurance Co.  
Aetna Insurance Company.  
Hartford Fire Insurance Company  
Liverpool & London & Globe Insurance  
Company  
Northern Assurance Company  
North British & Mercantile Insurance Co.

The Fund accepted the bid of the Bismarck Insurance Agency as to the insurance on the twine at the Twine and Cordage Plant. The policies and voucher submitted to the Fund aggregate \$150,000.00 for the term from November 20, 1944 to August 1, 1945, the premiums amounting to \$1,104.48 at the published rate for direct underwriting.

On November 20, 1944, the Fund issued its warrant No. 11398 to Murphy Insurance in the amount of \$4,300.00, the voucher supporting this payment containing the following memorandum:

"Our check in the amount of \$4,300.00 issued in payment of this voucher is in accordance with Section 3, Chapter 152 of S. B. No. 127 of the 1943 Session of the Legislature—which bid was received on October 6, 1944."

The voucher submitted to the Fund (dated May 17, 1944) lists the premium on four policies dated June 30, 1944 on which the premiums aggregate \$4,300.00. Details showing the amount of coverage, the term thereof, and the premiums as taken from the policies on file are shown below:

Number	Issued By	Term		Provisional Amount	Provisional Premium
		From	To		
OP3224	Aetna Insurance Company	6-30-44	6-30-45	\$ 400,000.00	\$ 860.00
OM8938	Saint Paul Fire and Marine Insurance Company	6-30-44	6-30-45	400,000.00	860.00
01866	Hartford Fire Insurance Company	6-30-44	6-30-45	600,000.00	1,290.00
249291	The Liverpool and London and Globe Insurance Company, Limited	6-30-44	6-30-45	600,000.00	1,290.00
TOTAL				\$2,000,00.00	\$4,300.00

The above policies are of the reporting form, the amount of the coverage and the premiums being subject to recomputation each month based on the average monthly value of the grain and flour insured.

It will be noted that there is little similarity between the bids received for insurance on the mill and elevator stocks and the insurance paid for. The records of the Murphy Insurance Agency show that these policies were included in its business written in June, 1944, and that remittances were made to the respective insurance companies in payment of the premiums, net of commissions, during the months of July and August, 1944. The Commissioner of Insurance informed us that the reason the policies were made out in advance was that the Mill and Elevator wanted their grain and flour stocks covered by reinsurance and that if the Commissioner was unable to place it, the Mill was going to pay for the insurance. He stated that he was unaware of the fact that the notice calling for bids was for \$1,000,000.00 coverage while the policies are for \$2,000,000.00 coverage.

None of the reinsurance policies in force on the Twine and Cordage Plant and the Mill and Elevator contain provisions which indicate that the insurance companies are liable only for losses in excess of \$100,000.00. The following opinion rendered by the Attorney General states that that was the type of insurance contemplated by Chapter 152 of the Session Laws of 1943:

August 2, 1944.

Mr. E. J. Reich,  
Manager, Fire & Tornado Fund,  
Bismarck, North Dakota.

Dear Mr. Reich:

We have your letter, relative to the matter of catastrophe insurance on the grain in the elevator at the State Mill. You inquire whether a reinsurance policy which is now in force and which is to expire shortly, covering flour and grain in the State Mill and Elevator, may be renewed by the Commissioner of Insurance and such policy paid for out of the moneys appropriated by Senate Bill 11 of the 1944 Special Session.

Senate Bill 11, being Chapter 8 of the Special Session Laws of 1944, appropriates \$20,000.00 to pay the premium "on catastrophe insurance only, as provided for in Chapter 152 of the Session Laws of 1943."

Chapter 152, above referred to, provides for catastrophe insurance to protect the Fire and Tornado Fund . . . against any loss in excess of \$100,000.00 arising

from any single catastrophe, as that term is defined in the usual policies of catastrophe insurance, against the hazards of fire and windstorm . . ."

If the policy you mention in your letter insures the Fund only against any loss in excess of \$100,000.00, arising from any single catastrophe, then it could be renewed and the monies appropriated can be used for payment of the premium on such policy. If the policy does not provide for such coverage only, then the monies appropriated by Chapter 8 of the Special Session Laws cannot be used to pay for such catastrophe insurance.

The Legislative Assembly saw fit to limit catastrophe insurance, or reinsurance, if that term is the one that is used, to any loss in excess of \$100,000.00 arising from any single catastrophe. Whether or not the Legislative Assembly acted wisely is not for your Department or this Department to determine. You are restricted by the laws enacted by the assembly, whether they are for the best interests of the Department or the State of North Dakota or not. The fact that you might feel that such legislation was unwise, does not authorize the contracting for catastrophe insurance, other than as provided by law.

Very truly yours,

(Signed) Alvin C. Strutz  
Attorney General.

ACS:nb

The following opinion was rendered by the Attorney General's office in connection with the calling for bids for reinsurance:

August 7, 1944.

Mr. E. J. Reich  
Manager, State Fire & Tornado Fund  
Bismarck, North Dakota.

Dear Mr. Reich:

This is in reply to your letter of August 7 in which you make inquiry with reference to the procedure in placing reinsurance. You state, "Regarding the procedure to be used in placing this reinsurance, it was our understanding from your explanation that Section 2 of Chapter 152 provides for the procedure in odd numbered years only and this being an even numbered year the Commissioner may place this reinsurance without bids."

Section 3 of Chapter 152 of the Session Laws of 1943 provides, among other things, as follows: "Provided, further, that if the Commissioner of Insurance should find that insurance companies would not include the State Mill and Elevator, the twine and cordage plant or any other extraordinary risks of like nature owned by the State of North Dakota or any of its political subdivisions, he may secure re-insurance on such risks over \$100,000.00, through separate bids in similar manner to that provided in Section 2 above."

You will note the underscored language in the quoted portion of said Section 3. It provides that re-insurance

may be secured through separate bids in similar manner to that provided in Section 2, and Section 2 provides that "the Commissioner of Insurance shall publish in the official newspaper, of Burleigh County, North Dakota, a notice, etc. \*\*\*\*\*"

It is our opinion, therefore, that if the Commissioner decides to place reinsurance upon state property, he would have to follow the procedure outlined in Section 2 of said Chapter 152, that is, so far as the publication of notice for bids is concerned, regardless of whether it be in an even or an odd numbered year; since separate bids must be secured in similar manner to that provided in Section 2.

Very truly yours,

(Signed) P. O. Sathre

Assistant Attorney General.

POS:mfr

#### REINSURANCE NOT CANCELED

Section 21, Chapter 159 of the Session Laws of 1943 provides that all reinsurance policies held by the Fund shall be canceled as of August 1, 1943, and all returned premiums shall be added to the reserve fund. Reinsurance policies expiring after August 1, 1943, which were not canceled, except such policies covering the Mill and Elevator as set forth in a previous section of this report, are listed in Schedule I. The return premiums on these policies for the period from August 1, 1943 to the dates of expiration, computed on the short rate basis, amount to \$3,846.38.

We have requested the home office of all the insurance companies listed in Schedule I to advise us as to whether or not these policies were in force at December 16, 1944. Replies have been received from all except two companies, and all those which have reported state that the policies were in force at that date.

The files of the Fire and Tornado Fund do not indicate that the Bismarck Insurance Agency had been requested to cancel these policies, and they are still on hand in the Department. The records of the Bismarck Insurance Agency show this insurance to be in force.

The files of the Fire and Tornado Fund show that the Murphy Insurance Agency was notified to cancel the insurance in force. The records of the Murphy Insurance Agency show that policies were received from the Fund and that they were duly canceled, and that a check for the return premiums had been drawn. Mr. Koch of the Murphy Insurance Agency informed us that the then manager of the Fire and Tornado Fund telephoned him that the cancellation of certain policies had been a mistake and asked that new policies be written. This was done and new policies were sent to the Fund without charge, and the check for the return premiums was canceled by the Murphy Insurance Agency. The policies on hand in the office of the Fire and Tornado Fund at the time of our examination are the same as those that Murphy's records show as having replaced the original policies canceled.

The files of the Fire and Tornado Fund do not indicate that H. F. Morris, J. P. Wagner, or H. A. Norton had been

requested to cancel the insurance that they had written and the policies were on hand at the time of our examination.

As a part of our examination, we compared the amount of return premiums received with the amount due, on the short rate basis, and noted a few items which had been remitted to the Fund net of the agent's commissions. The manager of the Fund has since requested payment of the additional amounts due on those items.

### PREMIUMS AND ASSESSMENTS

Sections 13 and 14 of Chapter 159 of the Session Laws of 1943 provide for the collection of premiums on property which has not been insured by the Fire and Tornado Fund for a period of five years at fifty per cent of the rate established by the Fire Underwriters Inspection Bureau; and that after the insurance has been in force for five years, it shall be subject to assessment only.

We made test checks of the computations of the premiums charged by the Fund for the period from August 1, 1943 to August 1, 1945, and found that errors had been made by the Fund in determining the amount of insurance which had been in force for five years, which resulted in errors in the computation of the premiums. As an example of this, we have set forth in Schedule II the amount of insurance, the effective dates, and the premiums chargeable on certain buildings of the City of Bismarck, together with the computations thereof as made by the Fund. As shown by this schedule, the City of Bismarck should have been charged \$278.93 more than it was for the period from August 1, 1943 to August 1, 1945.

We did not make a complete check of the premiums charged by the Fund as at August 1, 1943, but from the proportion of errors noted from the tests made, we recommend that the Fund set up records that will show the amount of insurance that was in force on each risk at August 1, 1938, and the changes which have occurred since that date; and that the premiums for the period from August 1, 1943 to August 1, 1945, then be recomputed.

The accounts receivable of the Fire and Tornado Fund at August 31, 1944 contain a charge of \$1,980.70 to the Board of Administration for premiums on the buildings and contents, except twine, of the Twine and Cordage Plant. Analysis of this charge shows that \$1,555.30 represents a premium on insurance that has been in force for five years and \$425.40 which has not. It is the contention of the Fund that both the Twine and Cordage Plant and the State Mill and Elevator should pay for their insurance as those are extraordinary risks which the Fund should reinsure, and that they are industrial risks entirely different from the ordinary public buildings. The statutes do not appear to make provision for charges in such cases; but we submit this information as being a matter which the Committee might desire to take under consideration.

### REFUNDS OF ASSESSMENTS COLLECTED

Chapter 159 of the Session Laws of 1943 make policies which have been in force for five years subject to assessment

under certain conditions, commencing with August 1, 1945. The Fund erroneously made charges for such assessments as at August 1, 1943, and the Special Session of the Legislature in 1944 appropriated \$31,000.00 to provide funds for the repayment of such assessments as had been collected. The total collections of such assessments were \$32,619.25, leaving a deficiency of \$1,619.25 in the appropriation made, analysis of which is set forth in Schedule III.

#### EXAMINATIONS OF INSURANCE COMPANIES

Chapter 155 of the 1943 Session Laws provides that all examinations of insurance companies conducted by the Insurance Commissioner, whether or not the same are so-called convention examinations, shall be conducted by regular employees of the Insurance Commissioner; that their compensation shall be paid out of the appropriation for that department; and that fees collected from the insurance companies for such services shall be deemed State money which shall be paid into the State Treasury. No appropriation was made for this purpose by the Legislature in its 1943 Session, but in the Special Session of 1944, it appropriated \$18,000.00 for that purpose.

We examined the receipts and disbursements records of the Insurance Department for the period from January 1, 1943 to November 30, 1944, and found that from the former date to May 5, 1944, no entries in respect to these items were made. Since the appropriation became available, payments have been made therefrom to the following individuals from May 5, 1944 to November 30, 1944, such payments being made on the same basis as that for which charges are made to the insurance companies for services rendered:

Name	Daily Rate	Amount
Harold Hopton .....	\$25.00	\$3,925.00
Harold Hopton (in North Dakota) ....	20.00	80.00
M. H. Chernick .....	25.00	3,125.00
R. J. Franklin .....	15.00	1,125.00
		<hr/>
		TOTAL \$8,255.00

Cash collections of examination fees received from insurance companies, as shown by the records of the Commissioner of Insurance to November 30, 1944, are summarized as follows:

Name	Amount
Fidelity and Deposit Co. ....	\$1,950.00
Guardian Life of America.....	3,125.00
Sun Insurance Office, Ltd. ....	1,215.00
Saint Paul Fire and Marine Insurance Co.....	1,975.00
Western States Life Insurance Co.....	80.00
	<hr/>
	TOTAL \$8,345.00

These examinations were made under the so-called "convention plan" of examination as adopted by the National Association of Insurance Commissioners. A brief outline of this plan is submitted for your information.

The Association has divided the United States into six

"zones," each consisting of eight states, and the insurance commissioner of one of the eight states acts as chairman thereof. When the insurance commissioner of an insurance company's domicile is about to examine the affairs of a company, each of the six zone chairmen is notified of the fact. The zone chairman in turn notifies the insurance commissioners of the several states within his zone, and appoints one or more examiners from one or more of the several states within his zone to attend and take part in such examination as a representative of that zone. After the examination is completed, it is submitted to the commissioners of all the states in which the company examined is licensed to do business, and such commissioner may accept the so-called "convention examination" in lieu of making the examination himself.

We inquired of the Commissioner of Insurance as to the handling of the fees for representatives from North Dakota during the period from July 1, 1943 to the time the appropriation became effective. He informed us that during that period North Dakota had no representation, as during that time, a man who had previously represented this State had been re-assigned by the zone chairman of the Association, so as to make this man a representative of another state.

#### REINSURANCE—STATE FIRE AND TORNADO FUND APPROPRIATIONS FOR REINSURANCE

The Legislature placed limits on the amounts to be expended for reinsurance by the Fire and Tornado Fund for the bienniums ended June 30, 1941 and June 30, 1943, and in its 1943 Session eliminated the reinsurance provisions of the law, except as to reinsurance on extraordinary risks, under certain conditions. We compared the amounts expended for reinsurance with the amounts appropriated and found that the cost of reinsurance exceeded the appropriations in the following amounts:

Biennium ended June 30, 1941 .....	\$20,023.91
Biennium ended June 30, 1943 .....	68,269.39
Period July 1, 1943 to August 31, 1944 .....	11,491.57
<b>TOTAL .....</b>	<b>\$99,784.87</b>

The computation of these excess expenditures, together with a reconciliation of the cost of reinsurance and the amounts of such costs shown by the books of the Fund, are set forth in Schedule IV. In connection with the preparation of this schedule, we examined warrants issued by the Fund; made test checks of the vouchers supporting the same; examined checks and warrants received by the Fund in payment of premiums due it, but which were used to pay for reinsurance without entering the receipts or disbursements on its books; and analyzed the collections of premiums recorded on the books but applied to reduce the cost of reinsurance by reference to the records of the Fund or to analyses thereof as previously made by the State Examiner.

Comments relating to the items making up the principal differences between cost of reinsurance shown in Schedule

IV and the amounts shown by the books are contained in the following paragraphs:

Checks and warrants totaling \$25,880.61 which were received by the Fund as collections of premiums on policies issued by it, but which were not recorded on its books, are described in Schedule V. The section of the Fire and Tornado Fund Law which relates to the collection of premiums is as follows:

"The Commissioner of Insurance shall collect from the State or the political subdivisions thereof, the entire premium for all the excess insurance and for such assessment as may be made as hereinbefore provided and deposit it in the State Fire and Tornado Fund, as herein provided, and shall draw his warrant upon the State Treasurer against the State Fire and Tornado Fund for the amount of premium due for the excess insurance placed with such reliable fire and tornado insurance company or companies."

As noted in Schedule V, these checks and warrants were, with two exceptions, made payable to the State Fire and Tornado Fund and the company or agency carrying or handling the reinsurance on those risks. Instead of depositing these items with the State Treasurer, as called for by the above section of the Law, the Fund endorsed and delivered them to the other payee in payment of reinsurance premiums owed by it.

Collections of premiums on policies covering insurance on road equipment, in the amount of \$22,607.21, and on other risks, in the amount of \$62,787.08 which were applied to reduce the cost of reinsurance on the books of the Fund represent premiums on risks which were fully reinsured, and the premiums on increased coverages where such increases were reinsured. As this reinsurance does not differ from the rest of the reinsurance the Fund had placed on its risks, we have not applied such premiums to reduce the cost of reinsurance in Schedule IV. We have, however, applied such items as return premium rebates, dividends, etc. received by the Fund from the companies carrying the Fund's reinsurance to reduce the cost of reinsurance.

Payments for reinsurance made between July 1, 1943 and August 31, 1944 consist of premiums for reinsurance placed on the State Mill and Elevator and the Twine and Cordage Plant. These items are commented upon in the section of this report relating to catastrophe insurance.

Prior to July 1, 1939, the Legislature had not restricted the amount which the Fund could spend for reinsurance. It was noted from the records that in May and June 1939 the Fund paid out \$41,788.86 for reinsurance which did not become effective until August 1, 1939.

#### NET RETENTIONS

Section 189c13 of the State Fire and Tornado Law, relating to the classification and limit of risk, provided as follows:

"It shall be the duty of the Commissioner of Insurance to classify all property reported to him under the provisions of Sections 1, 2, 3, 4, 5, and 6 of this Act, into

six distinct classifications as hereinafter set forth, and to provide insurance thereon in the State Fire and Tornado Fund and with some reliable fire and tornado insurance company or companies authorized to transact such business in this State, in accordance with the limitations shown by this classification. Provided, further, that the insurance upon that portion of the valuation above the net retention carried by the State Fund, shall by the Commissioner be placed with reliable mutual or old line insurance companies authorized to do business in this State."

Classification and limit of risks set out in the statute are summarized as follows:

Class	Type of Construction	Area	Limit of Risk
I	Fireproof	Protected	\$400,000.00
II	Fireproof	Unprotected	200,000.00
III	Ordinary brick, stone, etc.	Protected	50,000.00
IV	Ordinary brick, stone, etc.	Unprotected	25,000.00
V	Frame	Protected	25,000.00
VI	Frame	Unprotected	15,000.00

Up to August 1, 1938, it had been the general policy of the Fire and Tornado Fund to carry up to the above limits as its net retention. As of August 1, 1938, the Fund fixed the maximum amounts it would carry as its net retention under the respective classifications as follows:

Class I	.....	\$400,000.00
II	.....	200,000.00
III	.....	40,000.00
IV	.....	20,000.00
V	.....	20,000.00
VI	.....	12,000.00

As of August 1, 1940, the maximums to be retained net by the Fund on Class V and VI risks were reduced to \$15,000.00 and \$9,000.00, respectively; and as of November 1, 1940, the maximum net retention on Class IV risks was reduced to \$17,500.00.

The power to reduce these maximums was apparently based upon the following opinion rendered by the attorney for the Fund:

July 22nd, 1938

O. R. Vold,  
Bonding Department,  
Bismarck, N. Dak.

Dear Sir:

An opinion has been requested as to whether, under the provisions of Chapter 153, Session Laws of 1935, it is necessary to insure buildings therein classified at the full amount set forth in each classification or whether the Insurance Commissioner may use his discretion in the amount of insurance carried up to the limitation imposed.

Section 189c13, stripped of parts not here in issue, provides, "The Insurance Commissioner shall classify all property into six distinct classifications and provide insurance thereon. Provided further that insurance in

excess of the net retention carried by the Fund shall be placed with other reliable companies."

Following sections provide the limit of insurance that the Fund may carry on any single risk.

It seems clear, and is my opinion that the Insurance Commissioner may use his reasonable discretion as to the amount of insurance carried by the Fund providing it is not more than the top limitation imposed upon each separate class.

Very truly

W. J. Austin  
Department Attorney

Section 189c9 of the State Fire and Tornado Law, relating to free insurance and assessments, provided as follows:

"When the State Fire and Tornado Fund shall equal the sum of One Million Five Hundred Thousand Dollars the insurance retained net by the State Fire and Tornado Fund shall be provided without cost to the State, county, city, township, village, or school district until and unless losses and expenses reduce the aggregate liquid assets of the Fund below One Million Five Hundred Thousand Dollars, in which event an annual assessment shall be made against all the policy holders of the Fund in an amount which will as nearly as may be re-establish the Fund to the amount of the One Million Five Hundred Thousand Dollars of liquid assets, but such assessment shall in no event exceed the policy premium for one year at the rate provided for under provisions of Section 189c3 of this Act. Provided, however, before any property or risk shall be entitled to the benefits of the free insurance as herein provided for, the said property or risk shall have been insured in the Fire and Tornado Fund for at least five consecutive years at the rates provided for under Section 189c3."

When the reductions of the net retentions of the Fire and Tornado Fund were made as at the above-named dates, the net retentions of the Fund, in many cases, were represented by policies in force which had been issued without cost to the insured as provided in Section 189c9. The reductions in the net retentions were made by the Fund by purchasing insurance from outside companies in amounts sufficient to bring the net retentions down to the new prescribed limits, but charges were not made to those to whom free policies had been issued so as to reduce the amount of free insurance to the new net retention of the Fund. This procedure left free insurance in force in excess of the net retentions of the Fund on certain risks; or, stated in another way, the Fund purchased reinsurance on part of the risks covered by free policies issued by it.

Some examples of this procedure are explained in the following paragraphs:

The Fund issued two policies insuring the State Agricultural College at Fargo against losses up to \$119,800.00 on its power and heating plant for the term from August 1, 1937 to August 1, 1939. One policy, No. 16395, was for \$69,800.00

on which a premium of \$549.29 was charged to, and paid for by the College; and the other policy No. 16394, was for \$50,000.00 which was issued FREE to the College. A policy for \$69,800.00 on this risk, for the term August 1, 1937 to August 1, 1939, was placed with the Hartford Fire Insurance Company by the Fund, leaving its net retention at \$50,000.00, which was represented by policy No. 16394 which had been issued FREE to the College. As of August 1, 1938, the Fund placed a policy with the New York Underwriters Insurance Company for \$10,000.00 on this risk for the term from August 1, 1938 to August 1, 1939, on which the Fund paid a premium of \$42.50, but no charge therefor was made to the College by the Fund. Thus, for the period from August 1, 1938 to August 1, 1939, the net retention by the Fund on this risk was \$40,000.00, during which term a FREE policy for \$50,000.00 was in force.

The Fund issued a policy, No. 18874, insuring the Springbrook School District No. 81 of Springbrook against losses of \$15,000.00 on its school building and contents for the term from August 1, 1937 to August 1, 1939. This policy was issued FREE to this school district by the Fund, and it represented the total coverage on this risk. As of August 1, 1938, the Fund placed a policy with the Springfield Fire and Marine Insurance Company for \$3,000.00 on this risk for the term from August 1, 1938 to August 1, 1939, on which the Fund paid a premium of \$39.60, but no charge therefor was made to this school district by the Fund. Thus, for the period from August 1, 1938 to August 1, 1939 the net retention by the Fund on this risk was \$12,000.00, during which term a FREE policy for \$15,000.00 was in force.

When this insurance for the Springbrook School District No. 81 was renewed for the term from August 1, 1939 to August 1, 1941, the Fund issued two policies to the school district. One policy, No. 20694, was for \$3,000.00 on which a premium of \$69.30 was charged to, and paid for by the school district, and the other policy, No. 20695, for \$12,000.00 was issued FREE to the school district. A policy for \$3,000.00 on this risk, for the term from August 1, 1939 to August 1, 1941 was placed with the Western Fire Insurance Company by the Fund, leaving its net retention at \$12,000.00, which was represented by policy No. 20695 which had been issued FREE to the school district.

As of August 1, 1940, the Fund placed a policy with the Commonwealth Insurance Company for \$3,000.00 on this risk for the term from August 1, 1940 to August 1, 1941 on which the Fund paid a premium of \$39.60, but no charge therefor was made to the school district by the Fund. Thus for the period from August 1, 1940 to August 1, 1941, the net retention by the Fund on this risk was \$9,000.00, during which term a FREE policy for \$12,000.00 was in force.

Premiums paid to outside insurance companies by the Fund in those instances where the then net retentions of the Fund were represented by FREE policies on which no charges were made to the assured amounted to \$24,236.89. The items making up this total, together with the amount of coverage and the term thereof, are set forth in Schedule VI, summary of which is as follows:

<u>Term of Reinsurance</u>	<u>Amount of Insurance</u>	<u>Premiums Paid by Fund</u>
Aug. 1, 1938 to Aug. 1, 1939	\$1,360,332.00	\$10,649.02
Aug. 1, 1938 to Aug. 1, 1940	78,300.00	1,201.96
Aug. 1, 1940 to Aug. 1, 1941	360,147.00	6,063.69
Aug. 1, 1940 to Aug. 1, 1942	38,420.00	1,294.94
Nov. 1, 1940 to Aug. 1, 1941	400,640.00	3,816.32
Nov. 1, 1940 to Aug. 1, 1942	53,620.00	766.71
Aug. 1, 1937 to Aug. 1, 1939	4,200.00	32.34
Aug. 1, 1939 to Aug. 1, 1941	1,800.00	45.00
Jan. 1, 1940 to Aug. 1, 1941	10,000.00	176.50
Oct. 1, 1940 to Aug. 1, 1941	15,600.00	190.41
<b>TOTAL</b>	<b>\$2,323,59.00 (A)</b>	<b>\$24,236.89</b>

Note (A)—Coverage of \$13,900.00 for fire only; all other policies for fire and tornado insurance.

Recoveries for losses incurred on the policies included in Schedule VI amounted to \$2,233.96.

The same effect was produced in certain other cases where the Fund had written policies increasing the amount of insurance on risks without first reaching agreements with the assured, which policies were eventually canceled by the Fund, but on which the Fund had purchased policies from outside insurance companies in the amount of the increased insurance. In some of these cases the reinsurance policies were canceled and the full premium was returned to the Fund; in others the reinsurance policies were canceled after being in force for varying periods of time, and portions of the premiums paid were returned to the Fund; and in other cases the reinsurance was not canceled but remained in force for the full term of the policy.

An example of this procedure is explained in the following paragraphs:

The Fund issued two policies insuring Oakes Special School District No. 36 against losses up to \$128,000.00 for the period from August 1, 1941 to August 1, 1943. One policy, No. 20124, was for \$88,000.00 on which a premium of \$808.00 was charged to and paid for by the school district; and the other policy, No. 20125, was for \$40,000.00 which was issued FREE to the school district. A policy for \$88,000.00 on this risk was placed with an outside insurance company for the term August 1, 1941 to August 1, 1943, leaving the net retention of the Fund at \$40,000.00 which was represented by a free policy. The Fund wrote a policy, No. 25325, on this risk for \$30,000.00 for the term from March 1, 1942 to August 1, 1943 and wrote the school district asking that it sign a requisition approving the increase. On March 14, 1942, the Secretary of this school district wrote the Fund that he believed the amount of insurance they were carrying was a little strong, but that he would write later. No further correspondence was found in the file in regard to this matter. In March 1942 the school district's account was charged with the premium of \$214.50 on this policy which was not paid by the school district, and in March 1943 entries were made on the books of the Fund canceling the policy and crediting

the account of the school district with the premium previously charged.

As of March 1, 1942, the Fund placed a policy with an outside insurance company for \$30,000.00 on this risk for the term from March 1, 1942 to August 1, 1943 on which a premium of \$214.50 was paid. The effect of these transactions was to reduce the net retention of the Fund on this risk to \$10,000.00 for the period from March 1, 1942 to August 1, 1943, during which time a FREE policy of \$40,000.00 was in force.

Premiums paid to outside insurance companies on transactions of this character amounted to \$4,476.62 on which return premiums of \$859.64 were paid back to the Fund, leaving a net cost to the Fund of \$3,616.98. The items making up these totals are set forth in Schedule VII. Recoveries for losses incurred on the policies included in this schedule amounted to \$73.96.

#### DISTRIBUTION OF REINSURANCE PREMIUMS

Warrants issued by the State Fire and Tornado Fund for reinsurance premiums for the period from January 1, 1937 to December 31, 1943 amounted to \$595,354.74. The names of the agencies and companies to whom payments of over \$1,000.00 were made during that period are listed in Schedule VIII. It will be noted therefrom that a few agencies received a relatively large portion of the business and that relatively large payments were made direct to a few insurance companies.

As a part of our investigation we visited the office of H. T. Murphy and Co., or Murphy Insurance Agency, for the purpose of examining the records relating to the business it had received from the State. Most of the warrants for this business had been drawn to the order of "Murphy Insurance", so it was not clear from the warrants or the vouchers supporting them exactly with whom the Fund was dealing. We were informed, by Mr. and Mrs. Wm. Koch, the present managers of H. T. Murphy and Co., that the business received from the State had always been considered to be the personal business of H. T. Murphy. And, that while most of the warrants received from the Fund were entered in the cash receipts records of the company, they were credited to Mr. Murphy's personal account; and that when company checks were issued to the insurance companies to pay for the policies which had been issued, such checks were charged against Mr. Murphy's account. We were also informed that all the records pertaining to Mr. Murphy's personal business had been destroyed after his death on August 24, 1941. The ledger sheets showing the transactions between Mr. Murphy H. T. Murphy and Co. were also missing from the company's files for most of the period under review. Data supporting checks issued, such as details of policies being paid for, invoices for expenses, etc., were also missing from the files at the time of our investigation.

We also review the records maintained by the Bismarck Insurance Agency and the Byrne Insurance Agency of Bismarck, and made tests thereof by tracing warrants received from the Fire and Tornado Fund to cash receipts records and by examining canceled checks on file. Some of the

records of these agencies are kept in a rather informal manner, but no irregularities were noted from the tests made. It was noted from the records of all three agencies that Mr. O. R. Vold, the former manager of the Fund, had made temporary loans from each from time to time.

We also examined such of the records of the following insurance companies as pertained to the payments made directly to them by the State Fire and Tornado Fund for reinsurance premiums:

Mercury Insurance Company, Saint Paul, Minnesota.

Saint Paul Fire and Marine Insurance Company,  
Saint Paul, Minn.

Western Fire Insurance Company, Fort Scott, Kansas,

for the purpose of ascertaining to whom the commissions thereon had been paid.

The State Fire and Tornado Fund issued warrants for premiums on reinsurance policies in the aggregate amount of \$15,280.66 to the Mercury Insurance Company, Saint Paul, Minnesota in July 1941. The records of that company show that these warrants were credited to the account of agent "H. T. Murphy, Fargo Survey Agency", and that that account was charged with the premium of \$15,280.66 on the policies for which the Fund had issued its warrants. This account was credited for commissions in the amount of \$3,820.17 which had not been paid at the time of Mr. Murphy's death on August 24, 1941.

These policies were all canceled and the business rewritten with Frances Koch or W. R. Koch or the survivor designated as the agent on the books of the Mercury Insurance Company, which was in accordance with the instructions contained in the following letter:

STATE FIRE AND TORNADO FUND  
Of North Dakota  
Bismarck

September 8, 1941

Mr. A. C. Brunsvold, State Agent  
Fargo, North Dakota

Dear Mr. Brunsvold:

We return for cancellation policies written by you for the account of H. T. Murphy, Agent, Bismarck, North Dakota as per lists attached. Total premiums on The St. Paul Fire & Marine Insurance Company list is \$8,758.03 and the total premiums on the Mercury Insurance Company list is \$15,280.66.

We understand that this particular business is cancelled to effectuate a cancellation which is necessary due to the death of H. T. Murphy.

This same identical business is to be rewritten by William Koch or Frances Koch, and in the St. Paul Fire & Marine Insurance Company and the Mercury Insurance Company, St. Paul, Minnesota.

I am,

Yours very truly,

(Signed) O. R. Vold  
O. R. Vold, Manager

The Mercury Insurance Company credited H. T. Murphy's account in the amount of \$15,280.66 on October 11, 1941 for the return premiums, and charged this account with its check No. 25672, dated October 10, 1941 for the same amount. This check was made payable to the State Fire and Tornado Fund of North Dakota for return premium on canceled policies. This check was not entered in the cash receipts record of the Fire and Tornado Fund, but does show the following endorsement:

**STATE FIRE AND TORNADO FUND**  
by O. R. Vold

Mgr.

This check was transmitted to The St. Paul Fire and Marine Insurance Co. by Frances Koch and W. R. Koch under date of October 13, 1941, with instructions to set up the commission account in the name of Frances Koch or W. R. Koch or the survivor. This check was credited to the account so designated on the books of the Mercury Insurance Company on October 17, 1941. This account was charged with premiums of \$15,280.66 on the policies rewritten for the Fire and Tornado Fund and was credited with \$3,820.17 commissions.

By these transactions the business originally credited to H. T. Murphy was transferred to Frances Koch and W. R. Koch and left a credit balance of \$3,820.17 for commissions in that account at October 17, 1941. On October 22, 1941, this account was charged with \$3,500.00 for check No. 25706 issued by the Mercury Insurance Company on that date, payable to W. R. Koch, Agent for "Commission—Fargo Survey Account". This check was endorsed "W. R. Koch, Agt" and was perforated "Paid—10-22-41", the same date it was issued. Mr. Koch informed us that he cashed this check at the First National Bank, Saint Paul and had used the proceeds for various personal purposes. This check was not entered in the cash receipts records of the Murphy Insurance Agency.

On October 24, 1941, the credit balance of \$320.17 remaining in the account of Frances Koch and W. R. Koch on the books of the Mercury Insurance Company was transferred as a credit to their account with the Saint Paul Fire and Marine Insurance Company (an affiliated company).

Through a similar series of transactions, premiums in the amount of \$8,758.03, on policies purchased by the State Fire and Tornado Fund from the Saint Paul Fire and Marine Insurance Company, were transferred from H. T. Murphy's account with that company to that of Frances Koch and W. R. Koch. The commission on this business amounted to \$2,189.50, which plus the balance of \$320.17 which was transferred from their account with the Mercury Insurance Company made a total to their credit of \$2,509.67 as at November 14, 1941. On September 4, 1942 the Saint Paul Fire and Marine Insurance Company issued its check No. 18953 for \$2,509.67 to the order of Frances Koch or W. R. Koch or the survivor to balance their account.

This check was not entered in the cash receipts record of the Murphy Insurance Agency. It was endorsed as follows:

"For deposit only Pay to the order of  
First National Bank of Saint Paul  
Frances Koch",

and was perforated by the bank as having been paid 9-9-42. We asked Mr. and Mrs. Koch to permit us to see the checks they had drawn on this account, but they informed us they had been destroyed as the account had been closed by them some time ago.

The total premiums on policies purchased by the Fire and Tornado Fund from the Saint Paul Fire and Marine Insurance Company in July and August 1941, shown by their records to have been written by H. T. Murphy, amounted to \$18,752.86. Of this total, policies on which the premiums amounted to \$8,758.03 were canceled after Mr. Murphy's death as previously mentioned, and policies on which the premiums amounted to \$9,994.83 were left in force. The company had paid \$2,500.00 commission to H. T. Murphy on July 23, 1941, which is the approximate amount of commission accruing on that portion of the business which was not canceled after his death.

The \$2,500.00 check issued to H. T. Murphy was entered in the cash receipts records of H. T. Murphy and Co. (Murphy Insurance Agency) on July 25, 1941 as an item to be credited to H. T. Murphy's personal account. The ledger sheets showing the personal transactions between H. T. Murphy and the Agency were missing from the files of the Agency at the time of our examination.

As shown in Schedule VIII, the State Fire and Tornado Fund paid premiums of \$50,002.25 to the Western Fire Insurance Company, and paid premiums of \$16,885.54 to C. F. Cosgriff in 1939. The warrants issued to C. F. Cosgriff were endorsed to the order of the Western Fire Insurance Company, and by that company to the order of the Kansas City Insurance Agency, Inc. The warrants issued to the Western Fire Insurance Company were also endorsed by it to the Kansas City Insurance Agency, Inc. We examined the records of the Western Fire Insurance Company pertaining to this business and found that the premiums of \$66,887.79, less commissions of \$23,410.73, were charged to the account of the Kansas City Insurance Agency, Inc., Kansas City, Missouri.

As the Kansas City Insurance Agency, Inc. does not appear to be licensed in the State of North Dakota, we were not in a position to examine its records to ascertain what disposition, if any, it may have made of the commissions received. We submit below copies of three letters which were turned over to us as representatives of your Committee, which letters indicate that Mr. L. M. Peet of Des Moines, Iowa had some interest in this business.

#### FARMERS UNION LIFE INSURANCE COMPANY

Des Moines, Iowa  
April 22, 1941

Mr. Oscar E. Erickson  
Department of Insurance  
State of North Dakota  
Bismarck, North Dakota

Dear Oscar:-

I am enclosing copy of the coverage that the Western has on the State Fire and Tornado Fund, representing a total premium of \$19,757.44, and I believe either

SATURDAY, FEBRUARY 24, 1945

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all or most of them expire the first of August and am wondering if Otto would prepare the requisitions for the renewal of this business and send them to me as soon as possible or if in his judgment a renewal order is all that is necessary, then return these copies to me and I will have the Western make up the policies from the information they now have.

I think it is important that you insist that Otto take care of this at once, so that we can accomplish some of the things that we have been talking about. I am also satisfied that it is important that you and I visit as quickly as possible, because we have got to formulate some definite plan, so that you will know how far you might go there and how far I should go here. I expect I will be gone all of next week, starting April 28th, but I will be back here by May 5th.

Yours very truly

LMP: CH  
Enc

L. M. Peet (Signed)  
Vice-President

THE WESTERN INSURANCE COMPANIES

The Western Casualty and Surety Co.  
The Western Fire Insurance Co.

Executive Offices  
916 Walnut Street

Kansas City, Missouri  
July 7, 1941

Mr. L. M. Peet  
c/o Farmers Union Life Insurance Co.  
504 1/2 Grand Avenue  
Des Moines, Iowa

PERSONAL

Dear Mr. Peet:

Our Home Office has today received additional requisitions from Mr. Vold of the North Dakota State Fund with premiums amounting to \$4,600. It appears that Mr. Vold is giving us larger lines on the institutions on which we had moderate lines before. For instance the business which he sent in last week was all on three institutions. The business received today is all on the College at Fargo and the University at Grand Forks.

This means that we are going to have to give away much more of the premiums than we would if the same volume of business was given us in smaller units. I cannot place this reinsurance in outside companies without a loss to us in commission unless I have some idea of the total volume that is to be given us and whether or not we must issue some of the policies through other companies. I still think it would be a fine idea if Mr. Otto could be allowed to assist Mr. Vold in selecting this insurance.

Awaiting your suggestions, I am

Very truly yours,

RAY B. DUBOC (Signed)  
PRESIDENT

RBD/IH

## FARMERS UNION LIFE INSURANCE COMPANY

Des Moines, Iowa

July 23-41

Dear Otto-

Can you arrange things so the extra fire business for the Western gets them for payment so I can have it on the morning of July 31st? I have postponed our Directors meeting so I can submit a plan to them and have the cash to back it up on that date. Write me on your return to the office and let me know what you can do. I have visited with Oscar on the subject and I wish you would talk to him.

Yours very truly

L. M. PEET

The State Bonding Fund paid premiums of \$50,904.60 for reinsurance to the Western Casualty & Surety Company of For Scott, Kansas for the period from May 1937 to May 1943. The warrants issued to this company were endorsed by it to the order of the Kansas City Insurance Agency, Inc. of Kansas City, Missouri. We examined the records of the Western Casualty & Surety Company pertaining to this business and found that the premiums of \$50,904.60, less commissions of \$11,705.53, were charged to the account of the Kansas City Insurance Agency, Inc.

As previously stated, we did not examine the records of this Agency, but we submit a copy of a letter which was turned over to us as a representative of your Committee, which letter indicates that Mr. L. N. Peet of Des Moines, Iowa had some interest in this business.

## FARMERS UNION LIFE INSURANCE COMPANY

Des Moines, Iowa

3-4-41

Dear Otto-

As soon as you get some more bonds send them to K. C. because I am moving as fast as I can toward a definite goal here at this office. Let me know by air mail when the next bunch can come thru?

Regards

L. M. PEET

REINSURANCE ON TORNADO-LOSSES

The State Fire and Tornado Fund purchased three excess reinsurance policies from the Western Fire Insurance Company, whereby tornado losses in excess of \$100,000.00 for each year ended August first were reinsured up to \$33,000,000.00 for two year periods covered by the respective policies. The policies were for the two-year terms ended August 1, 1939, 1941, and 1943; and the premium on each policy was \$10,000.00.

The Western Fire Insurance Company submitted policies for our inspection which showed that it had reinsured its liability under these policies to the extent of \$250,000.00 for losses of the Fund per year in excess of \$150,000.00. With this coverage the net liability for losses in any year ended August first was distributed as follows:

The first \$100,000.00 of losses would be borne by the Fire and Tornado Fund; losses over \$100,000.00 up to \$150,000.00, would be borne by the Western Fire Insurance Company;

losses over \$150,000.00 up to \$400,000.00 would be borne by the companies which had reinsured the Western Fire Insurance Company; and losses over \$400,000.00 would be borne by the latter company.

The annual reports of the Commissioner of Insurance of North Dakota for each of the years ended December 31, 1937 to 1943, inclusive, show the paid-in capital of the Western Fire Insurance Company to have been \$500,000.00 and show its surplus as \$247,075.50 at December 31, 1937; and \$724,400.29 at December 31, 1943, with varying amounts being shown as surplus at the end of the intervening years.

The question has been raised as to whether or not the Western Fire Insurance Company exposed itself to greater losses than it was permitted to do under the laws of the State. That company informed us that its view on the matter was that while the reinsurance for the Fund was written in one policy, in reality it covers a multitude of individual risks; in fact, each of the individual risks insured by the Fund; that as the Fund's net retention on any one risk could not exceed \$400,000.00 under the statutes, the liability of the Western Fire Insurance Company could not exceed \$400,000.00 on any one risk; and that as it had reinsured its liability, as hereinbefore outlined, it was assuming a liability of only \$50,000.00 on any one risk, which would meet the statutory requirements in this respect.

The question has also been raised as to whether or not the State Fire and Tornado Fund could purchase this type of insurance under the laws governing its operations. These are legal questions which we are not in a position to answer, but we submit the above data for your consideration.

#### LOSS ADJUSTMENTS AND EXPENSES

A loss from wind and hail occurred at the State Tuberculosis Sanatorium on August 23, 1943. The repairing of the roofs damaged was assigned to the Greenberg Roofing Company at a price of \$4,135.50. A memorandum attached to the proof of loss directed that the warrant to be issued in payment of this loss should be made payable to the Board of Administration and Greenberg Roofing Company. Mr. O. R. Vold, the then manager of the Fund made some investigations concerning this loss and based thereon, he filed a complaint with the Attorney General, on which matter, a hearing was held on January 17, 1944.

We did not make an independent investigation of this matter, but did review the evidence and transcript of the testimony presented at the hearing held by the Attorney General. It appears therefrom that the work for which the warrant for \$4,135.50 was to be drawn had not been completed by the Greenberg Roofing Company at the time; that estimates of the damage obtained by Mr. Vold appear to cover only the actual work which had been completed by the Greenberg Roofing Company to that time; and that the value of the whole damage, as determined by an appraiser appointed by the Attorney General, was estimated to be \$4,045.50.

The warrant actually issued for the payment of this loss was made payable to the Board of Administration only. At the time of our investigation (November 10, 1944), the Board of Administration had made two payments totaling \$3,500.00

to the Greenberg Roofing Company and was retaining the balance of \$635.50 pending final determination as to whether or not the roofs repaired are entirely satisfactory.

The State Fire and Tornado Fund insured the road equipment of most of the counties in the State, which insurance was fully reinsured by the Fund with the Saint Paul Fire and Marine Insurance Company, for the two one-year periods ended September 1, 1942 and 1943. The premiums paid for reinsurance were equal to the amounts collected from the counties so there was no actual income to the Fund on this type of business.

Losses incurred under these policies were adjusted by Mr. W. L. Pierce, who works for the Fund as required on a per diem basis for services, plus expenses. In some instances, the losses adjusted included those incurred under other policies issued by the Fund, which policies covered garages, shops, etc., owned by the counties. The adjusting expense vouchers submitted by Mr. Pierce do not show how much expense was applicable to equipment losses, and to other losses. Summary of losses involving county road equipment policies, in whole or in part, for the period from September 1, 1941 to December 31, 1943, together with adjusting expenses paid by the Fund to W. L. Pierce are shown below:

Date of Loss	Loss No.	County	Losses		
			Buildings and Contents	Road Equipment Policies	Adjusting Expense
Sept. 7, 1941	1834	Grand Forks	\$	\$131.47	\$ 51.60
Sept. 20, 1941	1838	Sargent		105.50	51.20
Jan. 10, 1942	1855	Nelson		26.82	38.45
Jan. 16, 1942	1856	Bowman	336.88	23.06	54.40
Feb. 20, 1942	1858	Stark	253.02	182.62	136.70
Oct. 20, 1941	1956	Williams		172.25	61.00
June 24, 1942	1972	Rolette		170.25	49.95
Dec. 1, 1942	1957	McHenry	320.55	33.15	44.90
TOTAL			\$910.45	\$845.12	\$488.20

In connection with adjusting loss No. 1858, which included a loss on the buildings and equipment of Stark County, W. L. Pierce submitted vouchers to the Fund, which were duly approved and paid:

Warrant	Dates of Expenses	Amount
8949	Feb. 25, 26, 27, 28, 1942; Mar. 10, 1942	\$76.40
8960	Apr. 6, 7, 9, 1942	50.30
9033	May 11, 1942 (office)	10.00
TOTAL		\$136.70

Under date of May 12, 1942, Mr. Pierce submitted a statement of expense to A. C. Brunsvold, State Agent for the Saint Paul Fire and Marine Insurance Company, for services and expenses incurred by him in adjusting this loss on February 25 and April 6, 1942, as follows:

Mileage 264	\$ .05	\$13.20
Meals—two days	1.50	3.00
Lodging—two days	2.00	4.00
Time—two days	10.00	20.00
TOTAL		\$40.20

The state agent issued a draft in favor of W. P. Pierce for this amount on May 12, 1942, in payment of this statement. This draft was in possession of Mr. O. R. Vold, former manager of the Fund, and had not been cashed at the time of our examination. We examined the records of A. C. Bruns-vold, state agent, for the period from September 1, 1941 to December 31, 1943 in search of other payments to Mr. Pierce, but none were disclosed.

The Attorney General ruled, under date of September 14, 1942, that as Mr. Pierce is employed by the Fund on a per diem basis and that so long as the Fund pays only valid claims for services and expenses rendered to it, it is im-material to the Fund if Mr. Pierce collects for the same loss or other losses from private insurance companies. In the foregoing schedule of losses and adjusting expenses, it will be noted that adjusting expenses aggregating \$252.20 were paid in five cases where losses on equipment only were involved. The benefit that the Fund may have derived from making such disbursements is questionable inasmuch as amounts equal to the full premiums collected by the Fund on the equipment policies were disbursed by it to purchase reinsurance; and the full amount collected from the reinsurance company for losses incurred were disbursed by the Fund to the county suffering the loss. The Fund could not gain on the equip-ment policies and lost the amount of adjusting expenses in addition to the office cost of handling the policies.

At the time of our examination, Mr. Vold had evidence in his possession which indicated that Mr. Pierce had collected expenses from another private insurance company for adjust-ing two losses incurred on State Highway Department equip-ment. Our examination of the records of the Fund did not disclose that the Fund had paid Mr. Pierce for adjusting such losses, so we made no further investigation thereof.

### GENERAL

We submit below a summary of the underwriting experience of the State Fire and Tornado Fund under the so-called "Hopton Law" for the years 1935 to 1942, inclusive, 1942 being the last full year during which the Fund operated under that law.

Year	—Premiums Written—		Losses Paid	Recoveries on Reinsurance	Cost of Reinsurance
	Free Policies	Chargeable			
1935	\$ 299,371.10	\$119,154.31	\$ 20,472.36	\$ 35.61	\$ 81,420.94
1936	65,008.30	61,638.05	42,081.81	2,849.06	25,586.49
1937	228,666.48	129,848.07	34,876.95	2,885.84	97,437.18
1938	52,986.65	56,791.23	15,926.93	1,391.24	36,337.56
1939	247,688.86	186,303.24	67,690.11	19,741.39	137,756.56
1940	49,693.62	89,388.79	96,147.29	36,756.67	59,980.03
1941	229,541.58	241,810.60	106,458.79	29,201.20	211,088.46
1942	49,038.62	64,379.99	34,070.77	4,205.95	44,867.67
	\$1,221,995.21	\$949,314.28	\$417,725.01	\$ 97,066.96	\$694,474.89

This summary has been prepared from the annual reports of the Fire and Tornado Fund, after giving effect to adjust-ments to premiums written and costs for reinsurance as previously commented upon in this report. This summary shows that the cost of reinsurance exceeded recoveries on reinsurance in the amount of \$597,000.00 for the period; and that while the total premiums written were increasing in the

latter years, the premiums on free insurance were not increasing proportionately. The general factors accounting for this condition are (1) the reductions made by the Fund in its net retentions; (2) the additions of new risks through new construction and reconstruction; and (3) increases in the amount of insurance carried on risks already insured in the Fund.

As a part of our investigation, we inquired of the Insurance Commissioner if he had any suggestions for changes which might be made for improvement of the operation of the Fire and Tornado Fund. He referred us to House Bill No. 22 which had been introduced in the Special Session of 1944 as representing his views on what he considers to be a good law for the operation of the Fund. This bill appears to provide for the re-enactment of the principal features of the so-called "Hopton Law", with certain restrictions as to the amount of premiums for reinsurance any agent might receive in one year; with the Commissioner to designate what constitutes a single risk; and with provisions for limitations of charges for premiums and assessments where the assured had paid for reinsurance.

### HAIL INSURANCE DEPARTMENT

#### REINSURANCE ON HAIL LOSSES

The Hail Insurance Department purchased a policy of reinsurance from Lloyds of London through R. N. Crawford & Co., Inc. of Chicago whereby the Hail Insurance Department reinsured its 1943 Hail losses for 90% excess of 9% of insurance on which losses were sustained, with a limit of 3% thereof, or \$200,000.00 maximum. The policy calls for a premium of 1% of the total insurance written by the Hail Insurance Department.

R. N. Crawford & Co., Inc. furnished us with a copy of a Western Union cablegram which it received from the Lloyds brokers in London through whom they were negotiating for the placing of this policy. A copy of this cablegram follows:

LB197C 193/190 - LONDON FILED 823PM 22-23

1/23/43 - 12:34PM

LC CRAWFORD COMPANY  
120 SOUTH LASALLE CHICAGO ILL

NORTHDAKOTA HAIL UNDERWRITER WHO HOPE INTEREST NOW MADE COMPLETE STUDY PAPERS AND AS RESULT HE FEELS ONLY BASIS ACCEPTABLE COMPANY AND UNDERWRITERS BEARING IN MIND MAXIMUM RATE WHICH COMPANY CAN OBTAIN IS 10% INDICATED AS FOLLOWS 1943 SEASON POLICY FOR 3% TOTAL SUM INSURED BUT NOT EXCEEDING 200000 TO COVER 90% OF EXCESS 9% TOTAL SUM INSURED WITH MINIMUM DEDUCTIBLE 100000 INITIAL AND MINIMUM PREMIUM 25000 ADJUSTABLE AT 1% TOTAL SUM INSURED LESS 5% COMMISSION FOR DIVISION ALL PARTIES YOUR SIDE INCLUDING YOU PLUS 1% FEDERAL TAX ABOVE SUBJECT TO WORDING BEING AGREED BY UNDERWRITERS STOP LEADER DECLINES QUOTE EXCESS PERCENTAGES

YOUR LETTER JUNE 29 1942 AS CERTAIN HIS PRICE WOULD BE PROHIBITIVE IN VIEW MAXIMUM RATE REFERRED TO ABOVE AND RECORD EXCESS THESE AMOUNTS UNFAVORABLE STOP FEEL RATE 1% SUGGESTED VERY REASONABLE VIEW FACT UNDERWRITERS WOULD HAVE MADE LITTLE PROFIT OVER PAST THREE YEARS STOP PLEASE CABLE QUICKLY IF ABOVE ACCEPTABLE AS UNDERWRITERS ONLY ACCEPT LIMITED LIABILITY THIS CLASS WITH RESULT FIRST COME FIRST SERVED

## HEATH COMPANY

Payments made on this policy by the Hail Insurance Department are listed as follows:

Warrant No. 41627 to R. N. Crawford & Co., Inc. ....	\$ 33,750.00
Warrant No. 47082 to R. N. Crawford & Co., Inc. ....	92,005.65
	<u>\$125,755.65</u>
Less refund by R. N. Crawford & Co., Inc. ....	763.42
	<u>TOTAL \$124,992.23</u>

The records of R. N. Crawford & Co., Inc. show the following disposition of this total:

Premium paid to Lloyds of London (\$116,242.23 less 5% commission) .....	\$110,430.12
Federal tax paid (1% of deposit premium of \$25,000.00) .....	250.00
Credits to income:	
Commissions .....	\$5,812.11
Service charge .....	8,500.00
	<u>14,312.11</u>
	<u>TOTAL \$124,992.23</u>

The amount of the premium was checked with Messrs. Duncan & Mount, New York, who are counsel of Lloyds in the settlement of claims in the United States. The federal tax is required under Chapter II, Section 1804 of the Internal Revenue Code. The records of R. N. Crawford & Co., Inc. show that the tax on the balance of the premium was absorbed by the brokers in London who had placed the insurance with Lloyds. Their records also show that the 5% commission was deducted from remittances made to their London brokers in payment of the business they had written.

We inquired at several sources as to the propriety of the service charge of \$8,500.00 made on this policy. The information we gathered indicates that in the writing of the ordinary types of insurance with Lloyds such charges usually are not made, but that in the writing of special types of insurance, such as this, that service charges are sometimes made. There is apparently no uniform basis followed in determining the amount of such charges; and it is a matter to be settled between the assured and the local broker through whom he deals. We understand it is customary for the local broker to inform the London broker as to the amounts of service charges to be made and the reasons therefor in order to eliminate the

possibility of a misunderstanding. We have no information as to whether or not this was done in this case, but no mention of compensation, other than the 5% commission, appears in the cablegram previously quoted.

We inquired of R. N. Crawford & Co., Inc. as to whether they had paid any commissions to other brokers or persons on this business, but they declined to furnish us with that information. The person our representative interviewed intimated, however, that commission was paid to an out-of-town broker with whom the company had done business for several years.

The Hail Insurance Department collected the maximum amount of \$200,000.00 from Lloyds on this policy, making a net recovery on its 1943 hail losses of \$75,008.77. Preliminary figures of the Hail Insurance Department for 1944 show that risks written in 1944 amounted to \$14,249,439.00 and that losses amounted to \$950,980.00. Had a policy with terms similar to the reinsurance policy for 1943 been purchased for the 1944 season, the premium would have been \$142,494.39 without any recovery thereunder.

The following opinion has been rendered by the Attorney General in regard to the policy purchased in 1943:

March 20, 1944

Hon. Franklin Page,  
State Senator,  
Bismarck, North Dakota

Dear Senator Page:

I have your letter of March 20, in which you request my opinion as to the legality of using State funds for the purchase of the reinsurance contract which was entered into by the North Dakota Hail Insurance Department some time ago.

I assume that you have reference to the contract which the hail insurance department is reputed to have entered into with Lloyds of London for reinsurance of hail losses, and information regarding which was made public a few weeks ago. I draw your attention to the provisions of the amendment to the Constitution commonly referred to as the jackpot amendment, which provides that all public monies . . . "from whatever source derived", must be paid over monthly to the state treasurer and . . . "paid out and disbursed only pursuant to appropriation first made by the legislature . . .". The amendment then goes on to appropriate certain funds for definite purposes, including funds required ". . . for the payment of losses, duly approved, payable from the State hail insurance fund . . .".

In my opinion, funds of the hail insurance department would be considered public monies and would therefore come within the provisions of the jackpot amendment. That being true, the expenditures of these funds without legislative appropriation for reinsurance is illegal.

Yours very truly

(Signed) ALVIN C. STRUTZ  
Attorney General

### HAIL LOSS ADJUSTMENTS

We made test checks of the losses paid by the Hail Insurance Department by examination of applications for insurance proofs of loss and warrants issued for the years 1942, 1943, and 1944 in counties as selected by us, and only a few deficiencies in the records, and those of a minor technical character, were noted. A few adjustments that had been made in 1944, about which question as to the amount of allowance made had been raised, were brought to our attention. Upon investigation of the records of the Hail Insurance Department, it was noted that these had also been brought to the attention of the Hail Insurance Department. Re-inspections had been ordered on all; in one case, the amount of the loss was cut down considerably; and in the other two, the re-inspections showed practically the same result as the original inspection had shown.

### MISCELLANEOUS

The report of the Special Examining Commissioner to the Governor, dated January 27, 1943, page 27, makes reference to an investigation made by him and wherein it is alleged that 30,000 blotters advertising the candidacy of Mr. Erickson for re-election as Commissioner of Insurance were purchased for \$117.00 out of Hail Insurance Department funds on a voucher purporting to represent the acquisition of 1,000 Hail Adjusters Manuals. We did not re-investigate this matter but mention it here to bring it to the attention of the Committee.

### UNPAID HAIL TAXES

The records of the Hail Insurance Department show that at December 1, 1944, uncollected indemnity taxes and flat taxes amounted to \$885,409.15. Of this total, \$491,683.80 applies to the years 1931 and prior. While the Hail Department has a record by counties of this latter amount, it does not have the description of the lands against which the taxes were assessed. We were informed that any such records that the Department may have had were destroyed when the Capitol burned in 1930, and they were not replaced. As these taxes have remained unpaid for so many years, the collectibility thereof appears to be very doubtful.

The Department provides reserves to apply on these items in its financial statements, but these are, of course, only estimates. We believe that detailed reports should be obtained by the Department as to the composition of these old balances, and if the amounts reported are at material variance with the totals shown by the Department records, examinations should be made of the county records to account for the reason thereof; and the records corrected as provided in Section 29 of the State Hail Insurance Law.

### GENERAL

As a part of our investigation, we inquired of the Insurance Commissioner as to whether or not he had any suggestions which might be made for improvement in the operations of

the State Hail Insurance Department. He referred us to the manager of that department who stated that he felt that under the present rate structure of the department that inequities existed in the charges made for hail insurance in the different sections of the State and suggested that an actuarial study be made thereof. While such an undertaking does not appear to be provided for under Chapter 29 of the Special Session Laws of 1944, we have prepared from the records a schedule (Schedule XI) which shows the gross profit or loss on underwriting, by counties, for the eight-year period, 1937 to 1944, inclusive.

It will be noted from this schedule that losses paid in the eight-year period have exceeded premiums collected in several counties. Of such counties, none had losses which exceeded premiums in every year of the eight; in Divide County losses exceeded premiums in six years; in Bowman in four years; in Burke, Kidder, Slope, and Stark in three years; and in the other such counties in one or two years. The counties which show premiums collected in excess of losses paid for the eight-year period show gross profits fairly consistently throughout the period, although in some years, particularly in 1942 and 1943, some had losses in excess of premiums collected.

In Divide County the average loss ratio for the eight years, 1937 to 1944, was 13.4%. Under the present law the maximum rate the Department may charge is 10% of the risk written, so the Department was unable to charge those insured in this county an amount sufficient to cover the losses incurred during all of the period. In addition, in 1943, this County was fortunate enough to have a loss ratio of only 3.84%, which placed it in District No. 3 for that year. The rate in District No. 3 was 60c per acre for \$8.00 insurance, as compared with 80c per acre in three counties where the loss ratio was 7% or over for that year. This indicates that inequities may exist in the present rate structures, but as previously stated, we have not made sufficient analyses or study to draw any definite conclusion or solution.

## ALL DEPARTMENTS

### BOND PURCHASES AND SALES

During the year 1937 several of the counties of the State refinanced their outstanding indebtedness through the issuance of bonds, the issues of which, the departments under the supervision of the Commissioner of Insurance purchased all or parts thereof are shown in Schedule IX. These purchases were not made directly from the counties but from dealers in securities, principally V. W. Brewer Company, who had purchased the bonds from the counties. The proceeds of the sales by the counties (of the issues shown in Schedule IX) were deposited in special deposit accounts in the Bank of North Dakota, with two exceptions. As shown in Schedule IX, these bonds were sold by the counties at varying discounts below par, and when sold by the dealers to the several Funds and to the Bank of North Dakota a gross profit of \$107,619.09 accrued to the dealers.

The Bank of North Dakota, in most instances, financed the dealers in making the purchases of these bonds from the counties. This was done in the following manner:

The dealer would send his check to the Bank of North Dakota for the purchase price of the bonds purchased from the county. This check would be credited to the deposit account of the county in the Bank. At the same time the dealer would draw a ten-day sight draft on the Fund to whom the bonds had been sold, for substantially the full selling price thereof. The Bank of North Dakota would pay for the drafts drawn by the dealer and would hold the bonds as collateral thereto. The bank would carry these drafts in its assets until warrants were received from the State Departments which had purchased the bonds. The proceeds of the warrants would be used to take up the drafts held by the Bank, and it would remit any remaining balance of the warrants to the dealer who had sold the bonds to the several Funds, less interest charges the Bank made for carrying the drafts. The amounts of interest collected on the transactions shown in Schedule IX are set forth in detail therein. Under this method of operation the dealers did not invest any of their own funds in the purchase of those bonds.

We examined the records of the Industrial Commission and found that all purchases made by the Funds under the supervision of the Insurance Commissioner from March 6, 1937 to August 31, 1944 were approved by that body, and purchases of bonds issued by counties, school districts, etc. after July 1, 1941 appear to have been made at prices not higher than those permitted to be paid under the provisions of Chapter 109 of the Session Laws of 1941. The more recent purchases of bonds by these Funds have consisted principally of United States Government securities. Securities owned by the Funds under the jurisdiction of the Insurance Commissioner at August 31, 1944 are described in Schedule X.

We examined data supporting the credits to the investment accounts of the several Funds for the period under review and found the majority of such credits to be for funds received in redemption of issues which had matured or which had been called for payment. There were a few sales made during the period, the largest of which is the subject of the comments in the paragraphs following. Other sales were of relatively smaller amounts.

On August 17, 1938 the Bank of North Dakota purchased \$841,000.00 principal amount of several series of North Dakota Real Estate Bonds at a premium of \$80,932.10. The Bank has a copy of a confirmation of a sale showing that on the same date it sold \$825,000.00 principal amount of these bonds to V. W. Brewer Company at a premium of \$78,863.62. Neither the records of the Funds nor of the Bank show much of the premium was applicable to the different series of bonds, but from the amounts involved, it would appear that the bonds were sold by the Bank to V. W. Brewer Company at cost to it. A description of the bonds purchased from the Funds and those sold by the Bank is as follows:

**Bonds Sold To  
Bank of North Dakota By:**

Series	Description		Hail Insurance Department	Fire and Tornado Fund	Total	Bonds Sold by Bank to V. W. Brewer Company	Bonds Not Sold by Bank
	Rate	Maturity					
D	5.0 %	1-1-44 .....	\$ 1,000.00	.....	\$ 1,000.00	.....	\$ 1,000.00
G	4.5	1-1-50 .....	6,000.00	.....	6,000.00	.....	6,000.00
G	4.5	1-1-54 .....	4,000.00	.....	4,000.00	4,000.00	.....
H	4.5	7-1-51 .....	9,000.00	.....	9,000.00	.....	9,000.00
H	4.5	7-1-55 .....	42,000.00	3,000.00	45,000.00	45,000.00	.....
I	4.5	1-1-57 .....	135,000.00	.....	135,000.00	135,000.00	.....
I	4.5	1-1-58 .....	87,000.00	44,000.00	131,000.00	131,000.00	.....
K	4.5	1-1-56 .....	80,000.00	99,000.00	179,000.00	179,000.00	.....
L	4.25	1-1-53 .....	3,000.00	8,000.00	11,000.00	11,000.00	.....
L	4.25	1-1-59 .....	211,000.00	12,000.00	223,000.00	223,000.00	.....
M	4.0	1-1-60 .....	62,000.00	.....	62,000.00	62,000.00	.....
N	5.5	1-1-55 .....	10,000.00	.....	10,000.00	10,000.00	.....
O	5.25	1-1-56 .....	10,000.00	15,000.00	25,000.00	25,000.00	.....
<b>TOTAL PRINCIPAL</b> .....			<b>\$660,000.00</b>	<b>\$181,000.00</b>	<b>\$841,000.00</b>	<b>\$825,000.00</b>	<b>\$16,000.00</b>
<b>Premium</b> .....			<b>69,837.10</b>	<b>11,095.00</b>	<b>80,932.10</b>	<b>78,863.62</b>	<b>2,068.48</b>
<b>TOTAL</b> .....			<b>\$729,837.10</b>	<b>\$192,095.00</b>	<b>\$921,932.10</b>	<b>\$903,863.62</b>	<b>\$18,068.48</b>

The bonds purchased by the Bank were placed in its assets on August 17, 1938, and those sold to the V. W. Brewer Company were removed from the assets when and as they were paid for by that company. The credits to the Bank's investment account and its premiums received on bonds sold account in respect to this sale are as follows:

Date	Par Value of Bonds Sold	Premium Received By Bank
Sept. 29, 1938 .....	\$473,000.00	\$ 41,107.18
Oct. 20, 1938 .....	3,000.00	307.15
Oct. 31, 1938 .....	1,000.00	106.98
Nov. 2, 1938 .....	18,000.00	1,905.82
Nov. 14, 1938 .....	25,000.00	2,666.35
Dec. 5, 1938 .....	5,000.00	512.89
Dec. 14, 1938 .....	15,000.00	1,431.01
Dec. 31, 1938 .....	285,000.00	17,527.50
TOTAL RECEIVED .....		\$825,000.00
TOTAL PER CONTRACT		825,000.00
PREMIUM NOT ACCOUNTED FOR .....		\$ 13,298.74

The records of the bank indicate that the premium of \$17,527.50 received on December 31, 1938 was a part of the premium on the bonds credited to the investment account on that date. We asked the Bank to produce evidence showing when it received the balance of \$13,298.74 premiums due it under the contract with the V. W. Brewer Company. Such evidence was not produced, but we did receive the following letter from Mr. F. A. Vogel, Manager of the Bank of North Dakota, under date of December 19, 1944, in explanation of the transaction:

"With reference to the sale of the \$285,000 of bonds on December 31, 1938, being part of the \$841,000 block of bonds purchased from the State Hail Insurance Fund and Fire and Tornado Fund, I wish to confirm the conversation we had yesterday.

As advised you, it has been the policy of this bank to always carry their securities on their books at par, and for the year of 1938 the net premiums received on North Dakota bonds sold over premiums paid amounted to \$131,683.87. In addition thereto, our net profit on our government securities was \$126,888.73. This made a total credit to undivided profit for the year of \$258,572.60. As I advised you, it was my best judgment that these bonds be liquidated, even though on that particular transaction the bank did not get out its cost in view of conditions that prevailed at that time. Briefly, they were as follows:

The State of North Dakota had tax anticipation certificates outstanding totaling \$2,180,000 which represent money borrowed to meet current operating expenses. In addition thereto, they had \$56,000 of past due Capitol Building Fund certificates which the State was unable to pay for want of funds. These items, of course, were outstanding because of the fact that the crop of North Dakota for that year was very poor, with the result that only 60% of the current tax levy was

collected and succeeding years tax collections were correspondingly poor.

In addition to the above indebtedness, the State also owed the bank \$900,000 which it had advanced to protect the State's interest in land which the State had acquired in connection with its farm loan operations which were financed, as you know, by the issuance of the general obligation real estate series bonds.

In addition thereto, there was considerable discussion with regard to a sort of forced refinancing of the State's indebtedness, which would have meant that on such bonds as the State Departments owned they would have been obliged to accept securities carrying a much lower rate of interest. This would have meant that on the bonds in question having maturities of twenty years or longer the bank stood to lose all of the premium it had paid. Naturally, in view of conditions as they turned out that fall, it had an adverse effect on North Dakota bonds.

I am giving you this information so that you might have a picture that confronted the bank in the late Fall of 1938."

The fact that premiums received on bonds sold by the Bank in 1938 exceeded premiums on bonds purchased in the amount of \$131,683.87 is no indication that it made a profit of that amount, or that it made any profit on the transaction. For example, under the Bank's method of accounting, if bonds having a par value of \$100,000.00 were purchased in 1937 for \$110,000.00, the premium of \$10,000.00 would be charged off at December 31, 1937, and the books would show a loss of that amount in 1937. If these bonds were sold in 1938 for \$109,000.00, the books would show a profit on the sale in 1938 of \$9,000.00. In this example, the Bank would have sustained a loss of \$1,000.00 on the sale of those bonds in 1938 under the generally accepted method of computing profit and losses. We did not analyze the Bank's premium received account for the year 1938 to determine actual profits or losses in all its bond transactions for the year, as we were interested primarily in the disposition made of the bonds acquired from the Hail Insurance Department and the Fire and Tornado Fund.

The bonds taken up by the V. W. Brewer Company on December 31, 1938 are summarized as follows:

Series	Maturity	Rate	Principal Amount
H	July 1, 1955 .....	4.5%	\$ 5,000.00
K	Jan. 1, 1956 .....	4.5	178,000.00
I	Jan. 1, 1957 .....	4.5	83,000.00
I	Jan. 1, 1958 .....	4.5	19,000.00
<b>TOTAL</b>			<b><u>\$285,000.00</u></b>

These bonds are not listed on security exchanges but we referred to financial journals and made inquiry of several dealers in securities to obtain the approximate market price thereof in December 1938. These sources show a range in

quotations from a 3.50% to 3.35% interest yield to maturity, which would produce a dollar price of from about \$112.00 to \$114.00 with some variation for the different maturities involved. At the lower price basis the premium on the \$285,000.00 of bonds would amount to approximately \$34,000.00 as compared with \$17,527.50 received by the Bank. Based on this information, it would appear that the Bank should have received the full amount of the premium called for by its contract for the sale of these securities.

Respectfully submitted,

ERNST & ERNST

Certified Public Accountants

SCHEDULE I  
 REINSURANCE NOT CANCELED AS AT AUGUST 1, 1943  
 State Fire and Tornado Fund — State of North Dakota  
 August 31, 1944

Fund Policy No.	Agent and Company	Company Policy No.	Date of Expiration	Risks Covered	Premium Paid	Return Premium Aug. 1, 1943 to Expiration (Estimated)
<b>BISMARCK INSURANCE AGENCY</b>						
3551	Commercial Union Assurance Co., Ltd. ....	FW600054	Jan. 31, 1946	(A)	\$ 57.20	\$ 26.88
3557	Great American Insurance Co. ....	FW6095	Feb. 1, 1946	(A)	528.00	248.16
3618	New York Underwriters Insurance Co. ....	C 250110	Apr. 1, 1946	(A)	216.00	108.00
3622	Rochester American Insurance Co. ....	FW6014	Jan. 1, 1945	(A)	43.90	15.22
3635	Great American Insurance Co. ....	FW6101	Aug. 1, 1944	(A)	129.72	32.31
4720	do .....	OC5033	Aug. 1, 1945	(A)	131.67	85.02
4723	do .....	FW6141	Aug. 1, 1945	(A)	97.34	64.24
4724	do .....	FW6140	Aug. 1, 1945	(A)	256.48	169.28
4725	do .....	FW6142	Aug. 1, 1945	(A)	124.20	81.97
4739	do .....	FW6143	Aug. 1, 1945	(A)	306.75	205.01
4740	Niagara Fire Insurance Co. of New York .....	S 2037	Aug. 1, 1945	(A)	306.75	205.01
4769	Great American Insurance Co. ....	OC5063	Aug. 1, 1945	(B)	306.40	205.11
4782	Norwich Union Fire Insurance Society .....	676285	Jan. 1, 1948	(A)	166.44	135.23
4785	Great American Insurance Co. ....	FW6144	Aug. 1, 1945	(A)	174.50	120.22
4787	Rochester American Insurance Co. ....	FW6033	Apr. 15, 1944	(A)	126.88	69.78

**H. F. MORRIS**

4710	Pennsylvania Fire Insurance Co. ....	FT2874135	Aug. 1, 1945	(C)	575.92	345.55
4756	do .....	FT2874138	Aug. 1, 1945	(A)	250.00	165.00
4757	do .....	FT2874139	Aug. 1, 1945	(A)	122.14	80.61
4758	do .....	FT2874140	Aug. 1, 1945	(A)	162.75	107.41

**MURPHY INSURANCE**

4773	Aetna Insurance Company .....	OP3184	Jan. 27, 1945	(D)	275.80	163.90
4774	The Liverpool and London and Globe Insur- ance Co., Ltd. ....	243797	Jan. 27, 1945	(D)	206.85	123.05
4775	Hartford Fire Insurance Co. ....	01236	Jan. 27, 1945	(D)	275.80	163.90
4776	North British & Mercantile Insurance Co. ....	834204	Jan. 27, 1945	(D)	275.80	163.90
4777	Northern Assurance Co., Ltd. ....	OC1035	Jan. 27, 1945	(D)	206.85	123.05
4778	Phoenix Insurance Company .....	3053	Jan. 27, 1945	(D)	206.85	123.05

**J. P. WAGNER**

4783)	Fidelity & Guaranty Fire Corp. ....	2391	Jan. 27, 1945	(D)	344.75	204.88
)	The London Assurance .....	03851	Jan. 27, 1945	(D)	344.75	204.88

**H. A. NORTON**

3301	New Brunswick Fire Insurance Co. ....	GFW189	Nov. 20, 1945	(A)	240.24	105.71
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<u>\$6,460.73</u>	<u>\$3,846.33</u>
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**Risks covered:**

- (A) School Districts—Buildings and Contents.
- (B) City of Bismarck—Livestock Sales Pavilion.
- (C) City of Wishek—Community Hall.
- (D) City of Bismarck—Hangar.

**Note:**

Reinsurance in force on the State Mill and Elevator and on the Twine and Cordage Plant at August 1, 1943, which was not canceled, is not included in this schedule, but is set forth in the section of this report on catastrophe insurance.

**SCHEDULE II — COMPUTATION OF PREMIUMS AND ASSESSMENTS**  
**State Fire and Tornado Fund — State of North Dakota — August 31, 1944**

RISK	Term in Force		Amount of Insurance	Subject to Premium to 8-1-45		Subject to Assessment at 8-1-45 (if any)		Premium to 8-1-45	Additional Premium (Overcharge)	Possible Assessment 8-1-45	Possible Additional Assessment (Overassessment 8-1-45)
	From	To		Term	Amount	Term	Amount				
<b>City of Bismarck—Buildings:</b>											
City Hall and Fire Dept. ...	8-1-38 to 8-1-43		\$ 12,000.00		\$ .....	8-1-43 to 8-1-45	\$ 12,000.00			\$ 78.48	
	1-1-40 to 8-1-43		4,000.00	8-1-43 to 1-1-45	4,000.00	1-1-45 to 8-1-45	4,000.00	\$ 18.53		7.63	
	8-1-40 to 8-1-43		1,600.00	8-1-43 to 8-1-45	1,600.00			\$ 10.46			
<b>Total .....</b>	8-1-43 to 8-1-45		\$ 17,600.00					\$ 28.99		\$ 86.11	
Allocation by Fund ...			17,600.00	8-1-43 to 8-1-45	1,200.00	8-1-43 to 8-1-45	5,600.00	78.48	(\$ 49.49)	36.62	\$ 49.49
<b>World War Memorial Bldg. ...</b>											
	8-1-38 to 8-1-43		\$ 96,000.00			8-1-43 to 8-1-45	96,000.00			\$280.80	
	1-1-40 to 8-1-43		68,000.00	8-1-43 to 1-1-45	68,000.00	1-1-45 to 8-1-45	68,000.00	\$ 58.01		140.89	
	8-1-41 to 8-1-43		16,400.00	8-1-43 to 8-1-45	16,400.00			47.97			
<b>Total .....</b>	8-1-43 to 8-1-45		\$180,400.00					\$105.98		\$421.69	
Allocation by Fund ...			180,400.00	8-1-43 to 8-1-45	16,400.00	8-1-43 to 8-1-45	164,000.00	47.97	58.01	479.70	( 58.01)
<b>City Auditorium .....</b>											
	8-1-38 to 8-1-43		\$ 44,000.00			8-1-43 to 8-1-45	44,000.00			\$655.96	
	8-1-39 to 8-1-43		6,000.00	8-1-43 to 8-1-44	6,000.00	8-1-44 to 8-1-45	6,000.00	\$ 46.77		46.77	
	8-1-40 to 8-1-43		5,000.00	8-1-43 to 8-1-45	5,000.00			77.95			
<b>Total .....</b>	8-1-43 to 8-1-45		\$ 55,000.00					\$124.72		\$732.73	
Allocation by Fund ...			55,000.00	8-1-43 to 8-1-45	5,000.00	8-1-43 to 8-1-45	50,000.00	77.95	46.77	779.50	( 46.77)
<b>Public Library .....</b>											
	8-1-38 to 8-1-43		\$ 12,000.00			8-1-43 to 8-1-45	12,000.00			\$ 41.88	
	1-1-40 to 8-1-43		4,000.00	8-1-43 to 1-1-45	4,000.00	1-1-45 to 8-1-45	4,000.00	\$ 9.89		4.07	
	8-1-41 to 8-1-43		1,600.00	8-1-43 to 8-1-45	1,600.00			5.58			
<b>Total .....</b>	8-1-43 to 8-1-45		\$ 17,600.00					\$ 15.47		\$ 45.95	
Allocation by Fund ...			17,600.00	8-1-43 to 8-1-45	1,600.00	8-1-43 to 8-1-45	16,000.00	5.58	9.89	55.84	( 9.89)
<b>Airport Hangar .....</b>											
	1-1-40 to 8-1-43		\$ 6,400.00	8-1-43 to 1-1-45	6,400.00	1-1-45 to 8-1-45	6,400.00	\$213.75		\$ 88.01	
	8-1-41 to 8-1-43		640.00	8-1-43 to 8-1-45	640.00			30.17			
<b>Total .....</b>	8-1-43 to 8-1-45		\$ 7,040.00					\$243.92		\$ 88.01	
Allocation by Fund ...			7,040.00	8-1-43 to 8-1-45	640.00	8-1-43 to 8-1-45	6,400.00	30.17	213.75	301.76	( 213.75)
<b>TOTAL</b>								<b>\$278.93</b>		<b>301.76</b>	<b>( \$278.93)</b>

SCHEDULE III  
 APPROPRIATION FOR REFUND OF ASSESSMENTS

State Fire and Tornado Fund — State of North Dakota  
 August 31, 1944

		Amount
Refunds made to August 31, 1944 .....		\$29,817.67
Less collection of item refunded in error .....		372.62
		\$29,445.05
Refunds due but not paid at August 31, 1944:		
Policy No.	ASSURED	
26912	State Soldiers' Home .....	\$ 266.74
26913	Walsh County Agricultural and Training School .....	1,091.58
26917	State Historical Society .....	182.25
26924	Bank of North Dakota .....	248.00
27444	Edgemont School Dist. No. 21 .....	22.45
28238	Village of Tagus .....	7.75
26986	Arne School Dist. No. 35 .....	44.87
27073	Morton School Dist. No. 47 ....	27.75
27036	Battle View School Dist. No. 28 .....	5.25
26983	Cranberry Valley School Dist. No. 28 .....	69.50
27477	Pearl School Dist. No. 21 .....	14.62
28317	Sanish School Dist. No. 1 .....	175.35
27629	Emrich School Dist. No. 37 .....	74.25
26981	Iowa School Dist. No. 27 .....	115.34
27316	Liberty School Dist. No. 82 .....	12.94
27199	Janesburg School Dist. No. 32 .....	50.25
27538	Eden School Dist. No. 49 .....	14.00
27621	Nesson Valley School Dist. No. 83 .....	58.00
28363	Mercer County .....	47.56
28428	Pembina County .....	141.24
28314	City of Jamestown .....	504.51
		<u>3,174.20</u>
TOTAL DUE .....		\$32,619.25
Appropriation—Chapter 6—Special Session Laws of 1944 .....		31,000.00
DEFICIENCY IN APPROPRIATION ...		<u>\$ 1,619.25</u>

SCHEDULE IV  
 COST OF REINSURANCE IN EXCESS OF APPROPRIATIONS  
 State Fire and Tornado Fund — State of North Dakota  
 August 31, 1944

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	July 1, 1939 to August 31, 1944	Biennium Ended June 30, 1941                      1943		July 1, 1943 to Aug. 31, 1944
<b>COST OF REINSURANCE</b>				
Warrants Issued by Fund .....	\$392,132.80	\$150,949.68	\$236,117.64	\$ 5,065.48
Checks and warrants received by Fund in payment of insurance premiums due it which used to pay for reinsurance without entry being made in the books of the Fund—Schedule V .....	25,880.61	9,865.79	9,588.73	6,426.09
	<u>\$418,013.41</u>	<u>\$160,815.47</u>	<u>\$245,706.37</u>	<u>\$11,491.57</u>
Deduct return premiums, rebates, dividends, etc. ....	5,453.80	3,016.82	2,436.98	
<b>NET COST OF REINSURANCE</b> .....	<u>\$412,559.61</u>	<u>\$157,798.65</u>	<u>\$243,269.39</u>	<u>\$11,491.57</u>
<b>APPROPRIATIONS</b>				
Legislative .....	\$308,774.74	\$133,774.74	\$175,000.00	\$ .....
Transferred from other appropriation accounts with approval of Emergency Commission .....	4,000.00	4,000.00		
	<u>\$312,774.74</u>	<u>\$137,774.74</u>	<u>\$175,000.00</u>	<u>\$ .....</u>
<b>COSTS IN EXCESS OF APPROPRIATIONS</b> ....	<u>\$ 99,784.87</u>	<u>\$ 20,023.91</u>	<u>\$ 68,269.39</u>	<u>\$11,491.57</u>

RECONCILEMENT BETWEEN BOOKS OF FUND AND  
NET COST OF REINSURANCE

Cost of reinsurance as shown by books .....	\$293,297.32	\$133,640.25	\$155,043.58	\$ 4,613.49
Add:				
Checks and warrants received by Fund in payment of insurance premiums due it, which were used to pay for reinsurance without entry being made in the books of the Fund—Schedule V .....	25,880.61	9,865.79	9,588.73	6,426.09
Collections of insurance premiums credited to cost of reinsurance:				
Collected on road equipment policies .....	22,607.21	8,116.35	14,490.86	
Collected on other policies .....	62,787.08	2,176.26	60,610.82	
Warrants for reinsurance charged miscellaneous expenses .....	451.99			451.99
Warrants for reinsurance charged to "Prior" account which represented unused balances of appropriations for 1939-41 for other purposes .....	3,535.40		5,535.40	
Warrants for reinsurance charged to transfers from other accounts (approved by Emergency Commission) .....	4,000.00	4,000.00		
<b>NET COST OF REINSURANCE .....</b>	<u>\$412,559.61</u>	<u>\$157,798.65</u>	<u>\$243,269.39</u>	<u>\$11,491.57</u>

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**SCHEDULE V**  
**INSURANCE PREMIUMS COLLECTED WHICH WERE NOT DEPOSITED WITH THE STATE TREASURER**  
**State Fire and Tornado Fund — State of North Dakota — August 31, 1944**

Date of Check	Check Number	Check Payable To	Amount of Premium	Office Number of Reinsurance Policy Paid
<b>STATE MILL AND ELEVATOR—FLOUR AND GRAIN</b>				
<b>FUND POLICY No. 21750</b>				
Aug. 6, 1940	25711	State Fire & Tornado Fund & Murphy Insurance Agency .....	\$ 2,060.00	3243, 3244, 3245, 3246
<b>FUND POLICY No. 22805</b>				
July 30, 1942	1235	State Fire & Tornado Fund & Murphy Insurance Agency .....	1,267.47	4056, 4057, 4058, 4059
<b>FUND POLICY No. 25835</b>				
June 29, 1942	3553	State Fire & Tornado Fund & Murphy Insurance Agency .....	2,060.00	4608, 4609, 4610, 4611
July 30, 1943	2445	State Fire & Tornado Fund .....	1,513.08	do
<b>FUND POLICY No. 26891</b>				
July 16, 1943	2413	State Fire & Tornado Fund & Murphy Insurance Agency .....	2,060.00	4816, 4817, 4818, 4819
Dec. 27, 1943	2704	State Fire & Tornado Fund & Murphy Insurance Agency .....	2,186.31	do
Sept. 13, 1944	3343	State Fire & Tornado Fund & Murphy Insurance Agency .....	666.70	do
<b>STATE MILL AND ELEVATOR—BUILDINGS AND MACHINERY</b>				
<b>FUND POLICY No. 22544</b>				
Jan. 31, 1941	27397	State Fire & Tornado Fund & A. L. Peterson, Buffalo, N. D. ....	209.13	
do	27398	State Fire & Tornado Fund & Lahr & Lahr, Inc., Bismarck, N. D. ....	209.13	
do	27392	State Fire & Tornado Fund & H. L. Malloy, Halliday, N. D. ....	96.25	
do	27399	State Fire & Tornado Fund & M. J. Skrede, Williston, N. D. ....	209.13	
do	27400	State Fire & Tornado Fund & James McKee, Tappen, N. D. ....	209.13	
do	27391	State Fire & Tornado Fund & Leslie G. Gasal Co., Jamestown, N. D. ....	305.38	
do	27401	State Fire & Tornado Fund & The Greenleaf Agency, Devils Lake, N. D. ....	209.13	
do	27402	State Fire & Tornado Fund & Brown Insurance Agency, Valley City, N. D. ....	209.13	
do	27393	State Fire & Tornado Fund & Kenneth Dale Agency, Grand Forks, N. D. ....	96.25	
do	27403	State Fire & Tornado Fund & C. H. Reimers, Agent, Carrington, N. D. ....	209.13	
do	27404	State Fire & Tornado Fund & Bensch Insurance Agency, Jamestown, N. D. ....	209.13	
do	27395	State Fire & Tornado Fund & B. T. Piesik Agency, Beach, N. D. ....	209.14	
do	27405	State Fire & Tornado Fund & The Noakes Agency, Mandan, N. D. ....	209.13	
do	27396	State Fire & Tornado Fund & Marie K. E. Stiening, Fargo, N. D. ....	418.26	
do	27406	State Fire & Tornado Fund & H. R. Freitag, Agent, Max, N. D. ....	209.13	
do	27394	State Fire & Tornado Fund & R. R. Wolfer, Jamestown, N. D. ....	305.38	

FUND POLICY No. 26782

Jan.	30, 1943	1771	State Fire & Tornado Fund & H. L. Malloy .....	96.25
	do	1772	State Fire & Tornado Fund & Jamestown Insurance Agency .....	96.25
	do	1773	State Fire & Tornado Fund & Leslie G. Gasal Co. ....	96.25
	do	1774	State Fire & Tornado Fund & Dale Agency .....	96.25
	do	1770	State Fire & Tornado Fund & Bismarck Insurance Agency .....	209.12
Jan.	29, 1943	1746	State Fire & Tornado Fund & Marie K. Stiening .....	209.13
	do	1747	State Fire & Tornado Fund & Marie K. Stiening .....	209.13
Jan.	30, 1943	1759	State Fire & Tornado Fund & Leslie G. Gasal Co. ....	209.12
	do	1760	State Fire & Tornado Fund & B. T. Piesik .....	209.12
	do	1761	State Fire & Tornado Fund & Lahr & Lahr, Inc. ....	209.12
	do	1762	State Fire & Tornado Fund & M. C. Bacheller .....	209.12
	do	1763	State Fire & Tornado Fund & Murphy Insurance Agency .....	209.12
	do	1764	State Fire & Tornado Fund & Murphy Insurance Agency .....	209.12
	do	1765	State Fire & Tornado Fund & Murphy Insurance Agency .....	209.12
Jan.	29, 1943	1748	State Fire & Tornado Fund & C. H. Reimers .....	209.13
	do	1749	State Fire & Tornado Fund & Greenleaf Agency .....	209.13
Jan.	30, 1943	1750	State Fire & Tornado Fund & Bensch Insurance Agency .....	209.13
	do	1751	State Fire & Tornado Fund & Brown Insurance Agency .....	209.13
	do	1752	State Fire & Tornado Fund & Lefor Insurance Agency .....	209.13
	do	1753	State Fire & Tornado Fund & James McKee .....	209.13
	do	1754	State Fire & Tornado Fund & H. R. Freitag .....	209.13
	do	1755	State Fire & Tornado Fund & Byrne Agency .....	209.13
	do	1756	State Fire & Tornado Fund & Byrne Agency .....	209.13
	do	1757	State Fire & Tornado Fund & Western Fire Insurance Co. ....	209.13
	do	1758	State Fire & Tornado Fund & Jamestown Insurance Agency .....	209.13
	do	1766	State Fire & Tornado Fund & Murphy Insurance .....	209.12
	do	1767	State Fire & Tornado Fund & Bismarck Insurance Agency .....	209.12
	do	1768	State Fire & Tornado Fund & Bismarck Insurance Agency .....	209.12
	do	1769	State Fire & Tornado Fund & Bismarck Insurance Agency .....	209.12

STATE HIGHWAY DEPARTMENT--ROAD EQUIPMENTFUND POLICY Nos. 22566, 22567, 22568, and 22569

Jan.	17, 1941	AA428119	North British & Mercantile Insurance Co., New York, N. Y., and the State Fire and Tornado Fund, Bismarck .....	4,283.83
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FUND POLICY Nos. 22568 and 22569

Jan.	31, 1942	AA517054	North British & Mercantile Insurance Co., 150 William St., New York, N. Y. ....	648.13
<b>TOTAL</b> .....				<u><u>\$25,880.61</u></u>

SCHEDULE VI  
 REINSURANCE ON FREE INSURANCE  
 State Fire and Tornado Fund — State of North Dakota  
 August 31, 1944

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FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39				Term from 8/1/38 to 8/1/39		
University of North Dakota:	Grand Forks					
Law Building		17763	\$50,000.00	\$ 10,000.00	\$ 11.70	1329
Library		17757	50,000.00	10,000.00	83.00	1328
School of Mines		17753	50,000.00	10,000.00	118.50	1310
Armory		17747	50,000.00	10,000.00	31.25	1335
Power House		17761	50,000.00	10,000.00	70.80	1324
Woodworth Building		17759	50,000.00	10,000.00	66.50	1304
Gymnasium		17755	50,000.00	10,000.00	57.30	1303
Mechanical Engineering		17751	50,000.00	10,000.00	101.50	1321
Science Hall		17749	50,000.00	10,000.00	92.00	1322
State Teachers College:	Valley City					
Power House		17019	48,600.00	8,600.00	46.10	1404
Two Dormitories		17028	50,000.00	10,000.00	93.00	1401
Training School		17017	50,000.00	10,000.00	29.50	1339
State Agricultural College:	Fargo					
Veterinary Building		16409	41,100.00	1,100.00	14.41	1300
Power and Heating Plant		16394	50,000.00	10,000.00	42.50	1313
Engineering		16389	50,000.00	10,000.00	54.50	1311
Science		16392	50,000.00	10,000.00	59.00	1312

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Library		16387	50,000.00	10,000.00	70.00	1315
Girls' Dormitory		16385	50,000.00	10,000.00	72.50	1316
Administration		16398	50,000.00	10,000.00	76.00	1299
Physical Education		16396	50,000.00	10,000.00	30.50	1314
State Teachers College:	Mayville					
Main Building		17061	50,000.00	10,000.00	60.50	1306
East Dormitory		17063	50,000.00	10,000.00	57.50	1307
West Dormitory		17065	50,000.00	10,000.00	59.80	1305
State Teachers College:	Minot					
Training School		17054	50,000.00	10,000.00	34.10	1309
State School of Science:	Wahpeton					
Main Science Building		17095	25,000.00	5,000.00	55.50	1438
Gymnasium		17101	25,000.00	5,000.00	38.50	1439
State School of Forestry:	Bottineau					
Main Administration Building		17165	50,000.00	10,000.00	89.60	1308
State School for the Deaf:	Devils Lake					
Classroom and Gym		17151	25,000.00	5,000.00	41.50	1443
Boys' Dormitory		17149	25,000.00	5,000.00	27.40	1442
Main Building		17147	25,000.00	5,000.00	86.50	1441
Power House and Laundry		17153	25,000.00	5,000.00	140.00	1444
State School for the Blind:	Bathgate					
Administration and Dormitory		17104	25,000.00	5,000.00	44.50	1440
Grafton State School:	Grafton					
Administration Building		16439	50,000.00	10,000.00	94.00	1336
State Penitentiary:	Bismarck					
Buildings #1, 2, 3, and 6		17786	50,000.00	10,000.00	136.00	1345

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39				Term from 8/1/38 to 8/1/39		
State Hospital for the Insane: Kitchen, Dining Room, Etc.	Jamestown	16464	50,000.00	10,000.00	91.60	1320
State Tuberculosis Sanatorium:	San Haven					
Administration Building		17730	24,800.00	5,000.00	71.00	1424
Children's Building		17724	25,000.00	5,000.00	28.13	1421
Infirmery		17722	25,000.00	5,000.00	13.78	1426
Garage and Laundry		17728	25,000.00	5,000.00	25.83	1423
Refectory		17720	25,000.00	5,000.00	22.23	1419
New Nurses Home		17726	25,000.00	5,000.00	9.93	1422
State Training School:	Mandan					
Power House and Laundry		17251	23,300.00	3,300.00	63.36	1447
Gymnasium		17263	25,000.00	5,000.00	39.15	1450
Dakota Hall and Boys' Dormitory		17261	25,000.00	5,000.00	45.80	1449
Girls' Dormitory		17252	25,000.00	5,000.00	101.50	1448
Main Administration Building		17248	25,000.00	5,000.00	64.00	1446
Divine Hall		17246	25,000.00	5,000.00	45.80	1445
State Normal and Industrial School:	Ellendale					
Library		17047	43,500.00	3,500.00	30.45	1332
Mechanical Arts		17038	50,000.00	10,000.00	122.00	1331
Counties:						
Benson—Court House		16932	25,000.00	5,000.00	46.50	1430

Bottineau—Court House and Jail	17969	50,000.00	10,000.00	87.00	1351	
Cass—Highway Garage	17365	15,000.00	3,000.00	112.80	1607	
Grand Forks—Poor Farm Hospital	17409	15,000.00	3,000.00	57.60	1610	
Grant—Court House	17426	15,000.00	3,000.00	55.20	1558	
McIntosh—Court House	17535	25,000.00	5,000.00	5.22	1498	
McLean—Court House	17556	50,000.00	10,000.00	47.75	1381	
Mercer—Court House	17572	15,000.00	3,000.00	40.20	1557	
Morton—Court House	17581	50,000.00	10,000.00	79.40	1386	
Nelson—Court House	17609	25,000.00	5,000.00	62.50	1556	
Oliver—Court House	17620	15,000.00	3,000.00	40.80	1555	
Ramsey—Court House	17642	24,600.00	10,000.00	65.75	1389	
Jail	17641	25,400.00				
Slope—Court House	17693	14,800.00	3,000.00	45.90	1554	
Cities:						
Grafton—Electric Light Plant	16660	50,000.00	10,000.00	62.00	1323	
Valley City— do	16848	50,000.00	10,000.00	23.30	1338	
Park River— do	16727	27,000.00	3,000.00	23.88	1346	
Fargo:						
Public Library	16591	50,000.00	10,000.00	70.00	1348	
Various	16590	169,760.00	6,000.00	35.40	1349	
Bismarek—Auditorium	16503	46,000.00	6,000.00	121.00	1402	
Aneta—Auditorium	16518	22,000.00	2,000.00	58.00	1435	
Maddock—Light Plant	16783	34,000.00	1,200.00	10.80	1436	
Benson County Agricultural & Training School	Maddock	17319	25,000.00	5,000.00	52.00	1451
Walsh County Agricultural & Training School	Park River	17323	25,000.00	5,000.00	96.00	1452

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

FREE POLICIES ISSUED BY FUND			REINSURANCE PURCHASED BY FUND			
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39			Term from 8/1/38 to 8/1/39			
School Districts:						
Fargo Special #1:	Cass					
Agassiz School		17346	50,000.00	10,000.00	41.20	1356
Horace Mann School		17350	50,000.00	10,000.00	29.00	1357
Woodrow Wilson School		17354	50,000.00	10,000.00	23.22	1358
Central High School		17357	50,000.00	10,000.00	43.73	1359
Clara Barton School		17360	48,372.00	8,372.00	28.45	1361
Jefferson School		17361	50,000.00	10,000.00	38.93	1362
Bismarck Special #1:	Burleigh					
Richholt School		17111	50,000.00	10,000.00	42.60	1326
Old High School		17112	50,000.00	10,000.00	55.25	1327
Leeds #6	Benson	16936	45,000.00	5,000.00	40.55	1340
Brandon #9	Renville	17670	45,000.00	10,000.00	79.40	1342
Bottineau Special #1	Bottineau	16971	50,000.00	10,000.00	48.50	1352
Lansford #35	do	16987	48,000.00	8,000.00	66.92	1354
Twin Butte #1	Bowman	16999	50,000.00	10,000.00	53.00	1355
Casselton # 17	Cass	17181	49,000.00	9,000.00	32.04	1363
Langdon Board of Education	Cavalier	17209	50,000.00	10,000.00	50.00	1364
Oakes Special #36	Dickey	17227	50,000.00	10,000.00	50.00	1365
Killdeer Special #16	Dunn	17277	43,200.00	3,200.00	25.96	1366
Linton Special #36	Emmons	17307	43,200.00	3,200.00	21.89	1367

Sentinel Butte #2	Golden Valley	17390	43,000.00	3,000.00	25.20	1369
Beach #3	do	17394	45,000.00	5,000.00	39.70	1370
Grand Forks—Belmont School	Grand Forks	17403	50,000.00	10,000.00	42.50	1371
Mott #6—Grade School	Hettinger	17456	25,000.00	10,000.00	45.50	1374.
do New School	do	17458	25,000.00			
New England #9	do	17461	46,000.00	6,000.00	53.25	1375
South Bend #1	McHenry	17514	50,000.00	10,000.00	71.00	1378
Drake Special #57	McHenry	17532	50,000.00	10,000.00	53.00	1379
Ideal #10	McKenzie	17553	36,800.00	10,000.00	44.00	1380
Montefiore Special #1	McLean	17561	43,200.00	3,200.00	21.87	1382
Roosevelt #51	do	17568	50,000.00	10,000.00	43.25	1384
Beulah #27	Mercer	17579	50,000.00	10,000.00	49.25	1385
Mandan Special #1:						
Central Grade School		17587	16,500.00	10,000.00	50.75	1387
Junior High School		17586	33,500.00			
Stanley #82 (High School)	Mountrail	17601	45,600.00	5,600.00	31.78	1388
Lisbon Special #19:	Ransom					
Grade School		17663	27,500.00	10,000.00	42.50	1390
High School		17664	22,500.00			
Fairmount Special	Richland	17983	31,400.00	10,000.00	46.25	1391
Mt. Pleasant #4	Rolette	18029	44,000.00	4,000.00	28.7	1393
Leonard #9	do	18342	43,000.00	3,000.00	25.10	1394
Elm Grove #13	Stark	17986	30,100.00	15,700.00	94.58	1395
Jamestown Independent:	Stutsman					
Franklin Grade School		17701	47,710.00	7,710.00	58.98	1398
Junior High School		17702	50,000.00	10,000.00	7.90	1397
Washington School		17706	50,000.00	10,000.00	8.90	1399

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39				Term from 8/1/38 to 8/1/39		
Harvey #38:	Wells					
High School		18774	36,000.00	29,000.00	131.95	1405
Grade School		18773	33,000.00			
Williston Special #1:	Williams					
Central Grade and Junior High School		17862	50,000.00	10,000.00	53.00	1406
Kenmare Special #28	Ward	17813	50,000.00	10,000.00	55.25	1407
Minot Special #1—Roosevelt	do	17846	50,000.00	10,000.00	37.25	1409
Park River #78	Walsh	17828	50,000.00	10,000.00	74.00	1411
Badger #2:	Towner					
Grade School		18369	21,760.00	21,760.00	248.27	1412
High School		18368	23,040.00			
Underwood #8	McLean	17564	25,000.00	5,000.00	37.00	1418
Sanborn #5	Barnes	16898	25,000.00	5,000.00	48.00	1425
Oriska #13	do	16904	25,000.00	5,000.00	43.50	1426
Free Peoples #29	Benson	16952	25,000.00	5,000.00	37.00	1427
Viking #9	do	16938	21,200.00	1,200.00	12.72	1428
Minnewaukan #5	do	16935	24,000.00	4,000.00	55.20	1429
Common #54, Fingal, N. D.	Barnes	16915	25,000.00	5,000.00	21.50	1432
Litchville #52	Barnes	16913	25,000.00	5,000.00	54.00	1433
Nome Special #36	do	16909	25,000.00	5,000.00	43.00	1434

Abercrombie #24	Bottineau	16980	12,000.00	2,000.00	23.00	1453
Stone Creek #46	do	16991	24,400.00	3,200.00	34.56	1454
Scranton #13	Bowman	17007	25,000.00	5,000.00	40.00	1456
International Special #5	Burke	17078	25,000.00	5,000.00	45.00	1458
Hunter Special #68	Cass	17193	25,000.00	5,000.00	49.50	1459
Buffalo #38	do	17184	25,000.00	5,000.00	53.50	1461
Gardner #56	do	17192	25,300.00	5,000.00	49.00	1462
Vale Special #10	Burke	17082	25,000.00	5,000.00	39.20	1464
Powers Lake #27	do	17089	25,000.00	5,000.00	47.50	1465
Mapleton #7	Cass	17163	25,000.00	5,000.00	18.48	1466
Tower City #33	do	17182	25,000.00	5,000.00	47.00	1467
Roosevelt #18	Grant	17430	25,000.00	5,000.00	44.50	1468
Inkster #103	Grand Forks	17425	22,400.00	2,400.00	25.92	1470
Allendale #61	do	17419	22,880.00	2,400.00	20.64	1471
Melby #15	Foster	17384	25,000.00	5,000.00	45.50	1472
Williamsport Special #6	Emmons	17300	25,000.00	5,000.00	54.50	1473
Halliday Special #19	Dunn	17279	25,000.00	5,000.00	41.00	1476
Keystone #7	Dickey	17220	25,000.00	5,000.00	40.00	1479
Nekoma #36	Cavalier	17216	25,000.00	5,000.00	35.50	1480
Milton Special #30	do	17213	25,000.00	5,000.00	32.50	1481
Linden #24	do	17211	25,000.00	5,000.00	24.20	1482
Alma #1	Cavalier	17202	25,000.00	5,000.00	57.50	1483
Regent #14	Hettinger	17462	25,000.00	5,000.00	24.00	1488
Tuttle Special #20	Kidder	17474	24,240.00	3,440.00	28.22	1489
Klundt #14	Logan	17501	25,000.00	5,000.00	34.00	1493
Meadow #29	McHenry	17520	25,000.00	5,000.00	48.00	1494
Thursby Butte #37	do	17522	24,960.00	4,960.00	43.97	1495
Bergen #55	do	17913	24,800.00	4,800.00	40.32	1496

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39				Term from 8/1/38 to 8/1/39		
Balfour Special #56	do	17530	25,000.00	5,000.00	36.50	1497
Youngstown #19	McIntosh	17543	25,000.00	5,000.00	35.50	1500
Alred #2	McKenzie	17549	23,950.00	3,950.00	34.76	1502
Connors #50	McLean	17566	25,560.00	5,000.00	45.00	1503
Lake Williams #72	do	17570	25,000.00	5,000.00	36.00	1504
Juzeler #20	Mercer	17574	22,640.00	2,400.00	25.44	1506
Flasher #39	Morton	17593	25,000.00	5,000.00	46.00	1509
Parshall #3	Mountrail	17600	25,000.00	5,000.00	36.50	1511
Plaza #137	do	17603	25,000.00	5,000.00	41.50	1513
Petersburg #25	Nelson	17618	24,720.00	4,400.00	45.60	1514
Pembina #1	Pembina	17628	25,000.00	5,000.00	41.00	1515
Wheatland #3	Ramsey	17645	25,000.00	5,000.00	39.00	1517
Edmore Special #42	do	17651	25,000.00	5,000.00	35.00	1518
Sheldon #2	Ransom	17658	25,000.00	5,000.00	44.00	1520
Rock Lake Special #28	Towner	16383	15,000.00	3,000.00	43.20	1561
Douglas Special #95	Ward	17819	15,000.00	3,000.00	40.50	1562
Carpio Special #156	do	17821	15,000.00	3,000.00	40.20	1563
Willow Lake Special #18	Steele	17959	13,580.00	1,580.00	12.79	1565
Bisbee Special #7	Towner	16381	15,000.00	3,000.00	53.70	1566
Dunseith #1	Rolette	17681	7,200.00	7,200.00	92.88	1568
Church's Ferry #1	Ramsey	17649	15,000.00	3,000.00	45.60	1569

Tolley Special #25	Renville	17954	15,000.00	3,000.00	42.90	1570
Northfield #34	Ramsey	18028	14,840.00	2,840.00	41.75	1571
Stanton #22	Mercer	17575	15,000.00	3,000.00	40.80	1572
Aneta Special #2	Nelson	17610	15,000.00	3,000.00	37.20	1573
Kief Special #49	McHenry	17528	15,000.00	3,000.00	49.20	1574
Zeeland #4	McIntosh	17537	15,000.00	3,000.00	46.80	1575
Lillehoff #20	Ramsey	17647	15,000.00	3,000.00	40.50	1576
Crystal Special #41	Pembina	17633	15,000.00	3,000.00	42.60	1578
Spring Brook Special #81	Williams	18874	15,000.00	3,000.00	39.60	1586
Bathgate #25	Pembina	17630	15,000.00	3,000.00	43.50	1587
Hamlet Special #95	Williams	17876	25,000.00	5,000.00	45.40	1588
Grenora Special #94	do	17874	25,000.00	5,000.00	35.50	1589
Cottonwood Lake #64	do	17867	25,000.00	5,000.00	39.50	1590
Tioga #15	do	17880	22,400.00	5,000.00	52.00	1591
Lees #10	Stutsman	18641	22,080.00	2,080.00	25.56	1593
Donnybrook #24	Ward	17811	26,960.00	5,000.00	53.00	1594
Courtenay #24	Stutsman	17712	25,000.00	5,000.00	36.50	1595
Hoople #42	Walsh	17825	25,000.00	5,000.00	56.00	1596
Guilford #3	Stutsman	17710	25,000.00	5,000.00	63.50	1597
Taylor #3	Stark	18583	24,400.00	4,400.00	51.20	1598
Hatton Special #15	Traill	17830	25,000.00	5,000.00	49.00	1599
Minto #20	Walsh	18735	25,000.00	5,000.00	61.00	1601
Reynolds Special #27	Traill	18192	25,000.00	5,000.00	42.16	1602
Hope Special #10	Steele	17716	25,000.00	5,000.00	40.00	1603
Weber #29	Sargent	17686	25,120.00	5,000.00	38.00	1604
Wyndmere Special #42	Richland	17673	25,000.00	5,000.00	33.50	1605
Glenburn Special #26	Renville	17671	25,000.00	5,000.00	39.50	1606
DeWitt #7	Divide	17235	15,160.00	3,000.00	43.20	1608

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SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/37 to 8/1/39				Term from 8/1/38 to 8/1/39		
Liberty #29	do	17239	14,154.00	2,100.00	30.45	1609
Galt #39, Lankin, N. D.	Walsh	18736	24,000.00	4,000.00	33.20	1617
Wildrose Special #90	Williams	17871	25,000.00	5,000.00	36.50	1618
Noltimier #12	Barnes	16902	15,000.00	3,000.00	42.90	1619
Nesson #2	Williams	17864	25,000.00	5,000.00	40.84	1620
Henderson #19	Cavalier	17207	15,000.00	3,000.00	44.10	1622
Canfield #7	Burleigh	17121	16,440.00	3,000.00	42.90	1623
Epping #88	Williams	17869	25,000.00	5,000.00	31.50	1624
Blaine #38	Bottineau	16989	15,480.00	3,000.00	42.90	1625
Des Lacs Special #38	Ward	17815	25,000.00	5,000.00	39.50	1626
Scotia Special #22	Bottineau	16979	14,660.00	2,300.00	30.82	1627
Berthold #54	Ward	17817	25,000.00	5,000.00	45.00	1628
Oak Creek #4	Bottineau	16973	13,440.00	1,440.00	20.30	1629
Haaland #23, Bowdon, N. D.	Wells	18021	25,000.00	5,000.00	41.00	1630
Medell #24	Benson	16944	12,800.00	80.00	11.20	1631
Green Cons. #99	Barnes	16930	14,300.00	2,000.00	28.60	1632
Pleasant Valley #35	Wells	17852	25,000.00	5,000.00	34.50	1633
TOTAL .....				\$1,360,332.00	\$10,649.02	

		Term from 8/1/38 to 8/1/40		Term from 8/1/38 to 8/1/40	
<b>Counties:</b>					
Dunn—Court House		18426	10,368.00	3,000.00	103.50 1616
Logan—Court House		18990	30,400.00	10,400.00	161.28 1560
<b>School Districts:</b>					
Argusville #58	Cass	18388	25,000.00	5,000.00	63.00 1463
Sheyenne #12	Eddy	18389	25,000.00	5,000.00	69.00 1474
Washburn #4	McLean	19046	38,800.00	10,000.00	81.00 1383
do (expired 8/1/39)		17562-	11,200.00		
Short Creek Special #6	Burke	18401	25,000.00	5,000.00	63.90 1457
Wimbledon #82	Barnes	18412	25,000.00	5,000.00	81.50 1431
Arthur #88	Cass	18376	25,000.00	5,000.00	59.50 1460
Foster #2	Logan	18414	25,000.00	5,000.00	70.00 1492
New Salem #7	Morton	18424	25,000.00	5,000.00	67.50 1507
Drayton #19	Pembina	18410	25,000.00	5,000.00	66.20 1521
Egeland Special #12	Towner	18418	15,000.00	3,000.00	81.30 1580
Streeter #42	Stutsman	18397	14,000.00	2,000.00	52.60 1582
Amidon #28	Slope	18637	22,200.00	2,200.00	31.68 1611
Milnor #16	Sargent	18391	25,000.00	5,000.00	82.50 1612
Logan Center #98	Grand Forks	18858	15,000.00	2,700.00	67.50 1615
<b>TOTAL .....</b>				<b>\$ 78,300.00</b>	<b>\$ 1,201.96</b>

		Term from 8/1/39 to 8/1/41		Term from 8/1/40 to 8/1/41	
<b>State Agricultural College:</b>					
Hay and Feed	Fargo	20947	6,000.00	6,000.00	55.80 3231
Livestock		20949	21,000.00	21,000.00	262.50 3234
Farm Machinery		20950	10,000.00	10,000.00	93.00 3232

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REINSURANCE ON FREE INSURANCE

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FREE POLICIES ISSUED BY FUND			REINSURANCE PURCHASED BY FUND			
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
			Term from 8/1/39 to 8/1/41			Term from 8/1/40 to 8/1/41
Greenhouse		20975	20,900.00	5,900.00(A)	65.49	3233
Armory		20982	18,100.00	4,300.00	47.30	3236
State Penitentiary:	Bismarck					
Sundry Buildings		20996	18,800.00	7,000.00	115.50	3249
Horses, Cattle, Etc.		20992	17,400.00	6,000.00	99.00	3250
				11,400.00	188.10	3251
State Hospital for the Insane:	Jamestown					
Livestock		20810	30,000.00	30,000.00	495.00	3252
Farm Machinery and Feed		20810	14,800.00	14,800.00	259.00	3255
Dairy Barn		20784	21,450.00	9,200.00	108.56	3248
State Training School:	Mandan					
Livestock, Poultry and Feed		19416	18,400.00	18,400.00	620.08	3238
Dairy, Horse Barn and Silo		19429	15,000.00	6,000.00	213.60	3239
		19413	23,160.00	5,500.00(A)	165.00	3237
Northwest Fair Association:	Minot					
Exhibition Buildings		21521	18,800.00	10,000.00	251.00	3224
Grafton State School:	Grafton					
Livestock		20857	8,770.00	7,700.00	127.05	3253

Counties:

Cass—Highway Garage	Fargo	20043	12,000.00	3,000.00	157.80	3161
Hospital—Poor Farm		20047	12,400.00	9,000.00	129.60	3264
do do		20048	5,600.00			
Grant—Court House	Carson	20210	12,000.00	3,000.00	55.20	3168
Hettinger—Old Court House	Mott	20227	16,000.00	8,000.00	153.60	3170
Mercer—Court House	Stanton	20298	12,000.00	3,000.00	40.20	3175
Oliver—Court House	Center	20391	12,000.00	3,000.00	40.80	3176
Rollette—Court House	Rolla	20485	15,200.00	3,200.00	43.52	3178
Slope—Court House	Amidon	20521	12,000.00	3,000.00	42.30	3179
Traill—Road Machinery	Hillsboro	20592	8,800.00	5,800.00	114.26	3215
Ward—Alms House	Minot	20634	7,680.00	6,400.00	88.96	3268
Walsh County Agricultural & Training School:	Park River					
Main School Building		20742	20,000.00	5,000.00	96.00	3241
Auditorium and Gym		20743	10,800.00	1,800.00	35.46	3240
Devils Lake Park District:	Devils Lake					
Lake Auditorium		19654	7,000.00	7,000.00	187.60	3261
School Districts:						
Spring Brook #81	Williams	20695	12,000.00	3,000.00	39.60	3214
Rock Lake #28	Towner	20587	12,000.00	3,000.00	43.20	3197
Douglas Special #95	Ward	20655	12,000.00	3,000.00	40.50	3199
Carpio Special #156	do	20659	12,000.00	3,000.00	40.20	3211
Bismarck Special #1:						
Wm. Moore School		20036	27,700.00	12,700.00	76.20	3265
Henrietta #13	LaMoure	20253	12,240.00	3,000.00	40.50	3171
Norby #12	Logan	20260	10,000.00	3,000.00	43.80	3174
Prospect #33	Ramsey	21367	9,900.00	700.00	10.01	3181

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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JOURNAL OF THE SENATE

FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND			
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy	
Term from 8/1/39 to 8/1/41				Term from 11/1/40 to 8/1/41			
Antelope #2	Richland	21375	14,520.00	3,000.00	42.90	3186	
South Valley #11	Rolette	21383	10,400.00	1,400.00	20.02	3187	
Bathgate #25	Pembina	20404	12,000.00	3,000.00	43.50	3208	
Kensal #19	Stutsman	20562	20,000.00	5,000.00	67.50	3192	
Rosedale #5	Towner	20579	9,600.00	600.00	8.70	3193	
Mt. Pleasant #22	do	21424	12,152.00	1,152.00	16.47	3196	
Dayton #7	Nelson	20380	9,600.00	600.00	8.64	3207	
Pioneer #41	Williams	21452	12,920.00	2,520.00	36.04	3212	
DeWitt #7	Divide	20135	12,160.00	3,000.00	43.24	3151	
Liberty #29	do	20137	12,054.00	3,000.00	42.90	3152	
Noltimier #12	Barnes	19916	12,000.00	3,000.00	42.90	3155	
Henderson #19	Cavalier	20105	12,000.00	3,000.00	44.10	3150	
Canfield Special #7	Burleigh	20024	12,320.00	3,000.00	42.90	3159	
Blaine #38	Bottineau	19981	12,480.00	3,000.00	42.90	3158	
Scotia Special #22	do	19973	11,660.00	2,300.00	30.82	3144	
Oak Creek #4	do	19966	11,440.00	2,440.00	34.40	3143	
Medell #24	Benson	19948	12,000.00	3,000.00	42.00	3177	
Green Con. #99	Barnes	19935	12,300.00	3,000.00	42.90	3157	
Eastedge #31	do	19919	10,520.00	1,480.00	21.36	3142	
Mount Rose #37	Bottineau	21201	10,528.00	1,368.00	19.56	3145	
Driscoll #36	Burleigh	20028	11,000.00	1,700.00	24.65	3146	

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Alice #11	Cass	20053	11,200.00	3,000.00	45.30	3148
Loma Special #26	Cavalier	20102	11,300.00	1,650.00	29.70	3149
Saunders #25	Grant	20218	13,140.00	3,060.00	38.86	3154
Leal #56	Barnes	19927	11,000.00	2,000.00	28.00	3156
Lexington #13	Divide	21280	11,277.00	1,877.00	26.82	3164
Rockford Consolidated #4	Eddy	21259	11,200.00	2,200.00	31.46	3166
Bisbee Special #7	Towner	20581	12,000.00	3,000.00	53.70	3194
Church's Ferry Special #41	Ramsey	20442	12,000.00	3,000.00	45.60	3183
Tolley Special #25	Renville	20469	12,000.00	3,000.00	42.90	3185
Northfield #34	Ramsey	20438	12,000.00	3,000.00	44.10	3182
Stanton #22	Mercer	20333	12,000.00	3,000.00	40.80	3205
Aneta Special #2	Nelson	20379	12,000.00	3,000.00	37.20	3206
Kief Special #49	McHenry	20779	12,000.00	3,000.00	49.20	3201
Zealand #4	McIntosh	20288	12,000.00	3,000.00	51.90	3202
Lillehoff #20	Ramsey	20436	12,000.00	3,000.00	40.50	3180
Milroy #22	McHenry	20272	12,160.00	3,000.00	54.00	3200
			<b>TOTAL</b>	<b>\$ 360,147.00</b>	<b>\$ 6,063.69</b>	

			Term from 8/1/40 to 8/1/42		Term from 8/1/40 to 8/1/42	
State Highway Department:						
Equipment Storage Building	Bismarck	22369	15,900.00	6,900.00	505.77	3263
Counties:						
Dunn—Court House		21899	8,800.00	3,000.00	103.50	3140
Traill—Poor Farm Residence		22253	20,000.00	10,000.00	213.50	3210
School Districts:						
Grafton Special #3	Walsh	22247	4,000.00	1,000.00	19.40	3198
Vivian #5	Sargent	22132	10,700.00	1,600.00	41.73	3188
Logan Center #98	Grand Forks	21916	12,300.00	3,000.00	75.00	3167
Svea #24	Barnes	21805	12,800.00	3,800.00	95.00	3141

SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/40 to 8/1/42				Term from 8/1/40 to 8/1/42		
Clayton #16	Burke	21822	11,800.00	2,200.00	55.00	3160
Colgan #6	Divide	21880	10,240.00	1,920.00	47.04	3163
Alkabo #36	do	21881	11,000.00	2,000.00	50.80	3165
Egeland Special #12	Towner	22249	13,000.00	3,000.00	88.20	3195
TOTAL .....				\$ 38,420.00	\$ 1,294.94	
Term from 8/1/39 to 8/1/41				Term from 11/1/40 to 8/1/41		
State School for the Deaf:	Devils Lake					
Classrooms and Gym		19485	20,000.00	2,500.00	17.64	3455
Boys' Dormitory		19487	20,000.00	2,500.00	12.33	3454
Main Building		19489	20,000.00	2,500.00	36.70	3453
Power House and Laundry		19483	20,000.00	2,500.00	59.45	3456
State Penitentiary:	Bismarck					
Poultry Houses and Barn		20990	20,900.00	7,900.00	125.55	3497
State Tuberculosis Sanatorium:	San Haven					
Administration Building		20843	20,000.00	2,500.00	30.20	3508
Sundry Personal Property		20833	21,400.00	21,400.00	232.83	3475
Children's Building		20847	45,180.00	25,180.00	113.31	3510
				2,500.00	11.25	3511
Degree of Honor Infirmary		20852	7,600.00	5,600.00	65.98	3482

		Term from 8/1/39 to 8/1/41		Term from 11/1/40 to 8/1/41		
State Hospital for the Insane:	Jamestown					
Superintendent's Residence		20790	16,900.00	7,900.00	30.89	3495
Disposal and Filtration		20811	15,500.00	6,500.00	59.02	3494
State School of Science:	Wahpeton					
Main Science Building		19458	20,000.00	2,500.00	17.95	3466
Gymnasium		19452	20,000.00	2,500.00	16.45	3467
State School for the Blind:	Bathgate					
Administration Building		19444	20,000.00	2,500.00	18.95	3468
State Training School:	Mandan					
Powerhouse and Laundry		19433	20,000.00	2,500.00	37.95	3461
Gymnasium		19420	20,000.00	2,500.00	16.95	3464
Dakota Hall		19422	20,000.00	2,500.00	19.95	3463
Girls' Dormitory		19431	20,000.00	2,500.00	40.95	3462
Main Administration Building		19437	20,000.00	2,500.00	27.20	3458
Divine Hall		19439	20,000.00	2,500.00	19.95	3457
Northwest Fair Association:	Minot					
Exhibition Buildings		21521	18,800.00	2,500.00	26.95	3490
Grandstands		21521	10,960.00	1,960.00	55.67	3489
Grandstand Bleachers		21521	2,400.00	2,400.00	61.44	3479
Bleachers #1 and 2		21521	2,400.00	2,400.00	61.44	3480
Horse Barn		21521	8,000.00	8,000.00	287.04	3491
Hog and Sheep Barn		21521	6,880.00	6,880.00	177.50	3492
Old and New Speed Barns		21521	5,600.00	5,600.00	163.97	3493
Benson County—Court House	Minnewaukan	19891	20,000.00	2,500.00	19.76	3364
Ward County—Garage	Minot	20636	7,040.00	5,000.00	108.90	3518

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SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/39 to 8/1/41				Term from 11/1/40 to 8/1/41		
<b>Benson County Agricultural &amp; Training</b>						
School:	<b>Maddock</b>					
Main Administration Building		20746	20,000.00	2,500.00	22.20	3469
Cities:						
Aneta—Auditorium	Nelson	19721	20,000.00	2,500.00	35.95	3443
Maddock—Light Plant	Benson	19941	24,800.00	3,580.00	44.67	3481
<b>School Districts:</b>						
Stone Creek No. 46	Bottineau	19983	21,200.00	2,500.00	17.64	3339
International Special #5	Burke	20000	20,000.00	2,500.00	19.12	3341
Hunter #68	Cass	20093	20,000.00	2,500.00	21.04	3385
Buffalo #38	Cass	20087	20,000.00	2,500.00	22.74	3383
Gardner #56	Cass	20091	20,300.00	2,500.00	20.83	3391
Tower City #33	do	20085	20,000.00	2,500.00	19.98	3384
Vale Special #10	Burke	20006	20,000.00	2,500.00	13.60	3343
Powers Lake #27	do	20015	20,000.00	2,500.00	20.20	3345
Youngstown #19	McIntosh	20292	20,000.00	2,500.00	17.20	3371
Alred #2	McKenzie	20305	20,000.00	2,500.00	13.39	3429
Connors #50	McLean	20322	20,560.00	2,500.00	19.20	3367
Lake Williams #72	do	20326	20,000.00	2,500.00	21.04	3335
Juzeler #20	Mercer	20331	20,240.00	2,500.00	16.79	3432
Flasher #39	Morton	20352	20,000.00	2,500.00	19.55	3408

Parshall #3  
 Plaza #137  
 Petersburg #25  
 Pembina #1  
 Hamilton #39  
 Wheatland #3  
 Edmore Special #42  
 Sheldon #2  
 Lees #10  
 Underwood #8  
 Sanborn #5  
 Oriska #13  
 Free Peoples #29  
 Viking #9  
 Minnewaukan #5  
 Common #54, Fingal, N. D.  
 Litchville #52  
 Nome Special #36  
 Kensal #19  
 Reynolds Special #27  
 Hope Special #10  
 Webber #29  
 Wyndmere Special #42  
 Glenburn Special #26  
 Alma #1  
 Linden #24  
 Milton Special #30  
 Nekoma #36  
 Colquhoun #2  
 Colgate Special #13

Mountrail	20360	20,000.00	2,500.00	15.45	3410
do	20368	20,000.00	2,500.00	17.64	3413
Nelson	20385	20,320.00	2,500.00	19.20	3414
Pembina	20402	20,000.00	2,500.00	17.43	3322
do	20407	20,000.00	2,500.00	15.09	3321
Ramsey	20418	20,000.00	2,500.00	10.20	3320
do	20444	20,000.00	2,500.00	15.58	3318
Ransom	20428	20,000.00	2,500.00	18.70	3314
Stutsman	20559	20,000.00	2,500.00	20.45	3399
McLean	20320	20,000.00	2,500.00	15.70	3366
Barnes	19913	20,000.00	2,500.00	20.40	3350
do	19918	20,000.00	2,500.00	18.49	3352
Benson	19955	20,000.00	2,500.00	15.45	3363
do	19946	20,000.00	2,500.00	17.20	3361
do	19937	20,000.00	2,500.00	19.76	3360
Barnes	19925	20,000.00	2,500.00	12.33	3356
do	19923	20,000.00	2,500.00	14.88	3353
do	19921	20,000.00	2,500.00	18.29	3354
Stutsman	20562	20,000.00	6,000.00	68.88	3392
Trail	20609	20,000.00	2,500.00	15.20	3402
Steele	20545	20,000.00	2,500.00	16.95	3395
Sargent	20511	20,120.00	2,500.00	15.45	3329
Richland	20484	20,000.00	2,500.00	15.30	3312
Renville	20471	20,000.00	2,500.00	15.70	3315
Cavalier	20101	20,000.00	2,500.00	24.45	3308
Cavalier	20111	20,000.00	2,500.00	14.88	3309
do	20114	20,000.00	2,500.00	13.81	3310
do	20116	20,000.00	2,500.00	15.19	3311
Renville	20455	39,200.00	21,700.00	162.32	3323
Steele	20547	20,000.00	2,500.00	20.70	3324

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SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND			
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy	
Term from 8/1/39 to 8/1/41				Term from 11/1/40 to 8/1/41			
Taylor #3	Stark	20534	20,000.00	2,500.00	22.20	3325	
Sargent #20	Sargent	20508	19,280.00	1,780.00	13.67	3328	
Walhalla #27	Pembina	20406	20,000.00	5,000.00	40.40	3332	
Bowbells Special #14	Burke	20009	20,000.00	5,000.00	32.90	3344	
Dazey #65	Barnes	19928	20,000.00	2,500.00	20.20	3355	
Ellsbury #90	do	19929	19,200.00	1,700.00	11.87	3358	
Rogers #94	do	19934	17,600.00	2,500.00	14.20	3359	
Knox #14	Benson	19944	19,600.00	2,100.00	14.24	3362	
Bergen Special #55	McHenry	20283	20,000.00	2,500.00	15.51	3368	
Thursby Butte #37	do	20277	20,000.00	2,500.00	17.85	3369	
Meadow #29	do	20275	20,000.00	2,500.00	20.40	3370	
Balfour Special #56	do	20285	20,000.00	2,500.00	15.51	3373	
Tuttle Special #20	Kidder	20238	20,800.00	2,500.00	15.30	3375	
Keystone #7	Dickey	20118	20,000.00	2,500.00	18.29	3377	
Halliday Special #19	Dunn	20144	20,000.00	2,500.00	17.43	3378	
Ambrose #5	Divide	20133	21,600.00	4,100.00	26.84	3380	
Dunn Center #29	Dunn	20145	20,000.00	2,500.00	17.64	3388	
Williamsport #6	Emmons	20160	20,000.00	2,500.00	15.09	3390	
Courtenay #24	Stutsman	20565	20,000.00	2,500.00	15.45	3394	
Guilford #3	do	20557	20,000.00	2,500.00	26.95	3398	
Des Lacs Special #38	Ward	20650	20,200.00	2,500.00	16.70	3400	
Dennybrook #24	do	20646	21,960.00	2,500.00	22.45	3401	

Minto #20	Walsh	20617	20,000.00	2,500.00	20.20	3403
Hoople #42	do	20622	20,000.00	2,500.00	23.70	3404
Galt #39, Lankin, N. D.	do	20619	20,000.00	2,500.00	17.70	3405
Norman #24	Trail	20606	20,000.00	2,500.00	14.45	3406
Niagara #16	Grand Forks	20203	19,400.00	1,900.00	13.89	3417
Allendale #61	Grand Forks	20205	20,480.00	2,500.00	13.18	3418
Inkster #103	Grand Forks	20207	20,000.00	2,500.00	17.64	3420
Roosevelt #18	Grant	20215	20,000.00	2,500.00	15.73	3422
Kulm Special #15	LaMoure	20254	30,800.00	2,500.00	22.17	3423
Sheridan #31	do	20259	20,000.00	2,500.00	14.45	3425
Klundt #14	Logan	20263	20,160.00	2,500.00	14.45	3427
Berthold #54	Ward	20653	20,000.00	2,500.00	19.20	3434
Ryder Special #138	do	20656	18,560.00	1,060.00	7.29	3436
Haaland #23, Bowdon, N. D.	Wells	20664	20,000.00	2,500.00	16.20	3439
Pleasant Valley #35	do	20666	20,000.00	2,500.00	14.70	3440
Tioga #15	Williams	20686	20,000.00	2,500.00	21.95	3441
Epping Special #88	do	20697	20,000.00	2,500.00	13.45	3444
Wildrose Special #90	do	20700	20,000.00	2,500.00	15.45	3445
Hamlet Special #95	do	20704	20,000.00	2,500.00	17.45	3446
Wheelock #25	do	20687	20,320.00	2,500.00	14.95	3447
Cottonwood Lake #64	do	20692	20,000.00	2,500.00	16.70	3449
			<b>TOTAL</b>	<b>\$ 400,640.00</b>	<b>\$ 3,816.32</b>	

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SCHEDULE VI—(Continued)  
REINSURANCE ON FREE INSURANCE

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JOURNAL OF THE SENATE

FREE POLICIES ISSUED BY FUND				REINSURANCE PURCHASED BY FUND		
Name of Assured	City or County	Policy No.	Amount of Insurance	Amount of Insurance	Premium Paid By Fund	Office Number of Policy
Term from 8/1/40 to 8/1/42				Term from 11/1/40 to 8/1/42		
Northwest Fair Association: Men's Toilet	Minot	22314	800.00	800.00	43.52	3507
Logan County—Court House	Napoleon	22033	20,000.00	2,500.00	29.75	3426
School Districts:	Cass	21894	20,120.00	2,500.00	29.75	3387
Arthur #88	Morton	22043	20,000.00	2,500.00	35.00	3433
Sims #8	Ramsey	22057	20,000.00	2,500.00	35.75	3317
Starkweather Special #44	Pembina	22050	20,000.00	5,000.00	70.57	3331
Drayton #19	Cass	21892	20,000.00	2,500.00	31.50	3386
Argusville #58	Eddy	21914	20,000.00	2,500.00	34.50	3379
Sheyenne #12	Burke	21837	20,000.00	2,500.00	31.95	3342
Short Creek Special #6	Barnes	21808	20,000.00	2,500.00	40.25	3357
Wimbledon #82	Sargent	22107	20,000.00	2,500.00	41.25	3327
Milnor #16	Dunn	21909	20,000.00	2,500.00	30.75	3389
Spring Valley #26	Cavalier	21896	20,000.00	2,500.00 (A)	35.50	3306
Byron #7	Kidder	21990	20,000.00	2,500.00	29.25	3374
Tappen #28	Logan	22035	20,000.00	2,500.00	33.25	3428
Foster #2	Cavalier	21872	20,000.00	2,500.00	31.94	3307
Alsen Special #2	Bottineau	21820	3,360.00	3,360.00	75.93	3388
Hastings #28	Benson	21813	20,000.00	2,500.00	29.25	3351
Hesper #19	Foster	21931	18,560.00	1,060.00	12.24	3376

Dewey #22	Mountrail	22021	20,000.00	2,500.00	31.00	3411
Van Hook Special #8	Grand Forks	21940	20,000.00	2,500.00	23.10	3419
Gilby #75	Wells	22198	18,400.00	900.00	10.71	3438
Cathay #10	TOTAL .....			\$ 53,620.00	\$766.71	
Term from 8/1/37 to 8/1/39				Term from 8/1/37 to 8/1/39		
Ideal School District #10	McKenzie	17553	36,800.00	4,200.00	32.34	1111
Term from 8/1/39 to 8/1/41				Term from 8/1/39 to 8/1/41		
Antelope School District #2	Richland	21375	14,520.00	1,800.00	45.00	3011
				Term from 1/1/40 to 8/1/41		
Nelson County—Court House		20373	20,000.00	10,000.00	176.50	3036
				Term from 10/1/40 to 8/1/41		
State Agricultural College:	Fargo					
Mill Building		20981	8,800.00	4,600.00	66.08	3304
Armory		20982	18,100.00	6,000.00	55.00	3297
State School of Science:	Wahpeton					
Machine and Tool Shop		19453	14,020.00	5,000.00	69.33	3303
		TOTAL .....		\$ 15,600.00	\$ 190.41	
		TOTAL .....		\$2,323,059.00	\$24,236.89	

Note A—Fire insurance only. All other items cover both fire and tornado.

SCHEDULE VII  
REINSURANCE ON FUND POLICIES CANCELED  
State Fire and Tornado Fund — State of North Dakota  
August 31, 1944

Policies Issued by Fund but Canceled Later				Reinsurance Purchased by Fund			
	City or County	Policy No.	Amount of Policy	Premiums Paid	Return Premiums	Net Premiums Paid	Office Number of Policy
Assured							
School Districts:							
Connors No. 56 .....	McLean .....	22556	\$ 8,400.00	\$ 225.54		\$ 225.54	3519
do .....	do .....	26713	10,000.00	226.00	\$ 148.60	77.40	4762
Juzeler No. 20 .....	Mercer .....	22565	12,000.00	221.40		222.40	3531
Foster No. 2 .....	Logan .....	22563	20,000.00	244.00		244.00	3532
Wimbledon No. 82 .....	Barnes .....	22557	10,000.00	147.00		147.00	3534
Youngstown No. 19 .....	McIntosh .....	22595	16,000.00	301.60		301.60	3545
Litchville No. 52 .....	Barnes .....	22608	8,000.00	126.40		126.40	3556
Epping Special No. 88 .....	Williams .....	22636	7,000.00	99.40		99.40	3563
Minnewaukan No. 5 .....	Benson .....	22705	12,000.00	242.40		242.40	3605
Leal No. 56 .....	Barnes .....	22730	6,000.00	175.20		175.20	3621



SCHEDULE VIII  
PREMIUMS PAID FOR REINSURANCE

State Fire and Tornado Fund — State of North Dakota  
August 31, 1944

NAME	Total	YEARS ENDED DECEMBER 31.						
		1943	1942	1941	1940	1939	1938	1937
Warrants issued by Fund:								
Baker Insurance Agency.....	\$ 13,495.83	\$ 461.90	\$ 810.68	\$ 3,335.06	\$ 623.03	\$ 3,534.03	\$ 2,287.24	\$ 2,943.89
Beiseker, M. A.....	2,441.58	-----	-----	-----	-----	1,111.72	209.13	1,120.73
Bensch Insurance Agency.....	1,780.28	-----	373.98	343.14	175.00	850.03	538.13	-----
Bismarck Insurance Agency.....	52,519.71	1,857.98	9,786.56	22,227.33	7,524.55	6,923.65	1,757.57	2,442.07
Birmingham Fire Insurance Co. (Byrne Agency) .....	4,033.38	1,747.85	2,285.53	-----	-----	-----	-----	-----
Blaisdell, J. C., Sr.....	13,934.51	-----	670.12	2,048.63	-----	7,262.96	-----	3,952.80
Boe, John C., Company.....	2,060.81	-----	899.29	1,161.52	-----	-----	-----	-----
Bridston, J. B., Company.....	1,897.09	-----	-----	-----	-----	733.63	414.03	749.43
Brown Insurance Agency.....	4,972.66	-----	139.50	1,433.44	243.91	1,378.50	354.70	1,422.61
Byrne Agency .....	32,530.71	157.48	11,686.65	12,968.23	2,188.22	3,488.07	882.32	1,159.74
Campbell, W. P.....	1,081.15	-----	-----	534.97	-----	368.80	-----	177.38
Casey, Edwin M.....	2,062.59	-----	-----	-----	-----	319.20	54.74	1,688.65
Coffey, George V.....	1,897.33	-----	-----	525.33	-----	671.20	-----	682.80
Commonwealth Insurance Co. (H. T. Murphy)	4,316.09	-----	-----	-----	4,316.09	-----	-----	-----
Cooper, A. N., Agency.....	2,397.94	-----	-----	-----	-----	-----	-----	2,397.94
Cosgriff, E. P.:								
Western Fire Insurance Co.....	16,885.54	-----	-----	-----	-----	16,885.54	-----	-----
Other .....	590.49	-----	392.88	-----	197.61	-----	-----	-----
Crabtree, D. W. ....	3,379.34	-----	714.77	725.00	510.44	1,301.39	245.45	332.29

Doebler, R. J.....	3,914.70	-----	309.29	1,048.10	267.92	1,238.40	118.50	937.49
Ellefson, Ole .....	1,104.10	-----	-----	811.10	-----	320.00	-----	473.00
First State Bank of Harvey Agency .....	1,570.51	-----	45.10	1,120.49	404.92	-----	-----	-----
Fire Association of Philadelphia Agency (Byrne Agency) .....	1,749.81	1,300.16	449.65	-----	-----	-----	-----	-----
Federal Union Insurance Company.....	1,300.17	1,300.17	-----	-----	-----	-----	-----	-----
Fitch, K. A. ....	9,772.11	-----	-----	3,262.11	-----	3,233.89	-----	3,276.11
Ford, C. D. ....	1,824.72	-----	-----	633.34	-----	494.47	94.70	602.21
Fraser, R. L. ....	1,590.08	-----	-----	956.69	-----	633.34	-----	-----
Fredrickson, Fred J.....	7,039.47	-----	-----	1,919.43	-----	2,126.40	-----	2,993.64
Freitag, H. R. ....	4,060.42	-----	631.50	978.16	480.10	330.48	369.40	770.78
Fruh, A. M. ....	6,477.18	-----	516.62	122.50	1,085.19	325.44	3,607.13	370.30
Gasal, Leslie G. ....	1,309.35	-----	-----	496.60	-----	627.53	-----	185.22
George H. W. ....	1,206.16	-----	-----	494.00	-----	346.98	-----	365.18
Glass, Paul E. ....	1,071.84	-----	-----	212.35	-----	356.54	209.13	293.82
Greenleaf Agency .....	1,977.86	-----	138.40	1,230.10	-----	189.81	209.13	210.42
Hartford Fire Insurance Co. (H. T. Murphy)	3,637.31	-----	-----	-----	2,153.40	-----	1,483.91	-----
Hoopes, W. E. ....	1,685.75	-----	-----	-----	-----	861.68	-----	824.07
Investors Mortgage Security Company.....	1,539.91	-----	-----	-----	-----	-----	655.13	934.78
Kennedy, Henry .....	1,033.47	-----	-----	646.27	-----	387.20	-----	-----
Koch, Frances (H. T. Murphy until Aug. '41)	11,998.03	-----	447.00	3,296.92	1,958.22	311.92	960.44	5,023.53
Koch, Frances and Murphy Insurance Agcy.	1,313.89	-----	1,313.89	-----	-----	-----	-----	-----
Lahr & Lahr .....	2,436.88	-----	-----	947.12	67.25	1,074.36	-----	343.15
Lane, W. J. ....	1,378.18	-----	-----	617.06	-----	434.40	326.72	-----
Lefor Insurance Agency.....	3,940.77	-----	-----	1,707.71	259.00	1,446.12	209.44	318.50
McDonald, D. C. ....	1,960.52	-----	-----	1,246.70	-----	713.82	-----	-----
McKee, James .....	6,016.23	-----	600.91	781.56	793.76	-----	933.79	2,906.26
McKoane Insurance Agency.....	11,612.16	-----	339.39	2,323.84	854.75	4,715.63	297.50	3,081.05
Massachusetts Fire & Marine Insurance Co....	2,800.28	-----	-----	2,800.28	-----	-----	-----	-----
Mercantile Insurance Co. (H. T. Murphy).....	1,345.57	-----	-----	-----	1,345.57	-----	-----	-----

SATURDAY, FEBRUARY 24, 1945

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SCHEDULE VIII—(Continued)  
PREMIUMS PAID FOR REINSURANCE

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NAME	YEARS ENDED DECEMBER 31.							
	Total	1943	1942	1941	1940	1939	1938	1937
Warrants issued by Fund (Continued):								
Mercury Insurance Co. (originally H. T. Murphy, transferred to Wm. & Frances Koch)	15,280.66	-----	-----	15,280.66	-----	-----	-----	-----
Minot Insurance Agency	2,596.47	-----	148.00	608.00	416.44	678.73	745.30	-----
Murphy Insurance Agency	87,089.29	2,251.77	7,386.58	26,942.06	5,801.32	28,118.79	8,244.96	8,893.81
Morris, H. F.	1,110.81	-----	1,110.81	-----	-----	-----	-----	-----
Newberry Insurance Agency	1,031.31	-----	113.60	643.20	274.51	-----	-----	-----
North British & Mercantile Insurance Co.	20,762.19	-----	-----	4,127.32	11,357.87	4,663.13	613.82	-----
Oakes Insurance Agency	2,539.64	-----	106.46	808.00	-----	904.68	-----	720.50
Owens, Price	1,093.13	-----	-----	372.36	101.62	364.00	255.15	-----
Pennsylvania Fire Insurance Co.	14,645.06	-----	-----	-----	7,013.11	-----	3,605.44	4,026.51
Peterson, A. L.	5,320.93	-----	-----	1,554.65	209.53	1,465.23	743.01	1,348.46
Peterson, P. H.	1,754.03	-----	-----	1,754.03	-----	-----	-----	-----
Powell-Trimble Agency	2,425.25	-----	201.11	1,279.72	244.00	290.92	-----	409.50
Robideau, C. J.	1,016.96	-----	-----	418.34	-----	297.59	-----	301.03
Rugby Insurance Agency	1,385.48	-----	-----	428.53	55.00	421.84	252.96	227.15
Saint Paul Fire & Marine Insurance Co.:								
H. T. Murphy	13,195.76	-----	-----	10,994.83	1,642.08	-----	558.85	-----
H. T. Murphy transferred to Wm. and Frances Koch	8,758.03	-----	-----	8,758.03	-----	-----	-----	-----
Smith and Correll	4,239.72	-----	234.75	1,442.37	148.25	1,197.83	146.65	1,069.82
Stiening, Marie K. E.	1,520.98	-----	107.13	1,413.85	-----	-----	-----	-----
Stompro, Odin	1,192.56	-----	-----	507.70	166.66	212.90	127.80	177.50
Strehlow, W. E.	6,860.43	-----	-----	1,224.83	206.91	3,927.89	322.00	1,178.80

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Trimble Insurance Agency.....	3,371.35	-----	-----	-----	-----	1,468.08	464.80	1,438.47
Union National Insurance Agency.....	2,484.39	-----	234.75	645.69	164.32	692.78	746.85	-----
Wagner, J. P.....	1,840.79	689.50	-----	1,151.29	-----	-----	-----	-----
Warner & Company.....	6,091.23	-----	-----	-----	-----	-----	248.80	5,842.43
Western Fire Insurance Company (Kansas City Insurance Agency, Inc.).....	50,002.25	-----	245.18	26,885.16	2,871.91	10,000.00	-----	10,000.00
Wilder General Agency.....	1,332.38	-----	-----	430.61	-----	456.68	-----	445.09
Wildfang, H. E., Agency.....	2,032.86	-----	226.00	1,806.86	-----	-----	-----	-----
Wolfer, R. R.....	3,627.98	-----	-----	1,070.98	100.00	1,004.70	300.73	1,151.57
161 other agencies which received less than \$1,000.00 each in the seven-year period.....	69,276.36	-----	1,010.33	23,158.93	3,069.98	17,745.36	3,808.15	20,483.61
<b>TOTAL WARRANTS ISSUED</b>	<b>\$595,354.74</b>	<b>\$ 9,766.81</b>	<b>\$ 43,126.41</b>	<b>\$206,163.08</b>	<b>\$ 58,742.49</b>	<b>\$139,403.36</b>	<b>\$ 37,403.50</b>	<b>\$100,749.09</b>
Premiums collected used to pay for reinsurance—Schedule V—to 1944.....	25,213.91	11,372.52	3,975.60	7,805.79	2,060.00	-----	-----	-----
	<b>\$620,568.65</b>	<b>\$ 21,139.33</b>	<b>\$ 47,102.01</b>	<b>\$213,968.87</b>	<b>\$ 60,802.49</b>	<b>\$139,403.36</b>	<b>\$ 37,403.50</b>	<b>\$100,749.09</b>
Deduct return premiums, etc.....	12,071.61	109.75	2,234.34	2,880.41	822.46	1,646.80	1,065.94	3,311.91
<b>TOTAL TO DECEMBER 31, 1943</b>	<b>\$608,497.04</b>	<b>\$ 21,029.58</b>	<b>\$ 44,867.67</b>	<b>\$211,088.46</b>	<b>\$ 59,980.03</b>	<b>\$137,756.56</b>	<b>\$ 36,337.56</b>	<b>\$ 97,437.18</b>
Premiums collected in 1944 used to pay reinsurance—Schedule V.....	666.70	-----	-----	-----	-----	-----	-----	-----
<b>TOTAL</b>	<b>\$609,163.74</b>	-----	-----	-----	-----	-----	-----	-----

Note A—No warrants issued in 1944 to August 31, for reinsurance.

**SCHEDULE IX**  
**PROFITS TO DEALERS IN SECURITIES**  
**State Fire and Tornado Fund and State Bonding Fund — State of North Dakota**  
**August 31, 1944**

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Date Paid for by Funds	Issued and Sold To	Principal Amount	Selling Price by Dealers (including accrued interest)	Proceeds to Counties (including accrued interest)	Interest to Bank of North Dakota	Gross Profit to Dealers
<u>1937</u>						
	<u>DUNN COUNTY—4% dated July 1, 1937</u>					
July 26	State Bonding Fund					
	TOTAL ISSUED	\$ 109,000.00	\$ 109,314.89	\$ 101,667.38	\$ 145.34	\$ 7,502.17
	<u>WARD COUNTY—4% dated June 1, 1937</u>					
June 30	State Bonding Fund	\$ 180,000.00	\$ 180,000.00			
June 30	State Fire and Tornado Fund	33,000.00	33,110.00			
	TOTAL ISSUED	\$ 213,000.00	\$ 213,710.00	194,105.55	434.45	19,170.00
	<u>MOUNTRAIL COUNTY—4% dated July 1, 1937</u>					
August 20	State Bonding Fund	\$ 100,000.00	\$ 100,537.00			
	Workmen's Compensation Bureau	35,000.00	35,230.23			
	Board of University and School Lands	27,000.00	27,222.00			
	Bank of North Dakota	133,000.00	133,640.11			
	Refunded bond exchanged	1,000.00	1,022.00			
	TOTAL ISSUED	\$ 296,000.00	\$ 297,651.34	272,301.24	180.44	25,169.66
	<u>MERCER COUNTY—4% dated August 1, 1937</u>					
August 20	State Bonding Fund	\$ 100,000.00	\$ 100,208.20			
	Workmen's Compensation Bureau	50,000.00	50,159.35			
	Bank of North Dakota	30,000.00	30,056.65			
	TOTAL ISSUED	\$ 180,000.00	\$ 180,424.20	168,161.49	84.20	12,178.51

	<u>KIDDER COUNTY—4% dated October 15, 1937</u>						
November 24	State Bonding Fund	\$ 20,000.00	\$ 20,091.11				
	Bank of North Dakota	10,000.00	10,045.56				
	Bank of Steele, N. D.	10,000.00	10,022.23				
	TOTAL ISSUED	<u>\$ 40,000.00</u>	<u>\$ 40,158.90</u>	36,344.02	70.01	3,744.87	
	<u>McLEAN COUNTY—4% dated March 15, 1937</u>						
May 11	State Fire and Tornado Fund	TOTAL ISSUED \$ 142,000.00	\$ 143,139.50	131,636.85	208.61	11,294.04	
	<u>McHENRY COUNTY—4% dated March 15, 1937</u>						
April 23	State Fire and Tornado Fund	TOTAL ISSUED \$ 132,500.00	\$ 133,717.94	123,642.13	261.00	9,814.81	
	<u>GRANT COUNTY—4% dated May 1, 1937</u>						
June 21	State Fire and Tornado Fund	\$ 126,000.00	\$ 126,000.00				
	Bank of North Dakota	35,000.00	35,000.00				
	TOTAL ISSUED	<u>\$ 161,000.00</u>	<u>\$ 161,000.00</u>	150,850.37 (A)		10,149.63	
	<u>HETTINGER COUNTY—4% dated September 1, 1937</u>						
1938	Bank of North Dakota	TOTAL ISSUED \$ 108,000.00	\$ 108,000.00	99,404.60 (A)		8,595.40	
January 29	(\$50,000.00 of these bonds purchased from Bank by State Fire and Tornado Fund at par)						
	TOTAL	<u>\$1,381,500.00</u>	<u>\$1,387,116.77</u>	<u>\$1,278,113.63</u>	<u>\$ 1,384.05</u>	<u>\$ 107,619.09</u>	

Note (A)—Proceeds not deposited with The Bank of North Dakota.  
Amount of proceeds checked to records of Allison-Williams Company.

**SCHEDULE X**  
**SECURITIES OWNED**  
 State of North Dakota Insurance Departments  
 August 31, 1944

Date Purchased	Description	Maturity	Rate	Principal Amount	Cost
<b>STATE FIRE AND TORNADO FUND</b>					
U. S. Government Issues:					
June 2, 1941	U. S. Treasury Bonds .....	Mar. 15, 1956-58	2½%	\$ 40,000.00	\$ 40,000.00
Oct. 27, 1941	U. S. Treasury Bonds .....	Sept. 15, 1972	2½	115,700.00	115,700.00
Dec. 31, 1941	U. S. Treasury Bonds .....	Sept. 15, 1967-72	2½	32,300.00	32,300.00
Sept. 5, 1942	U. S. Treasury Bonds .....	June 15, 1967	2½	100,000.00	100,000.00
Jan. 13, 1943	U. S. Treasury Bonds .....	Dec. 15, 1963-68	2½	100,000.00	100,000.00
May 10, 1943	U. S. Treasury Bonds .....	June 15, 1964-69	2½	200,000.00	200,000.00
July 27, 1944	U. S. Treasury Bonds .....	Mar. 15, 1965-70	2½	100,000.00	100,000.00
May 1, 1941	U. S. Savings Bonds—Series "G" .....	May 1, 1953	2½	50,000.00	50,000.00
Mar. 5, 1942	U. S. Savings Bonds—Series "G" .....	Feb. 1, 1954	2½	50,000.00	50,000.00
July 17, 1942	U. S. Savings Bonds—Series "G" .....	July 1, 1954	2½	50,000.00	50,000.00
Jan. 8, 1943	U. S. Savings Bonds—Series "G" .....	Jan. 1, 1955	2½	50,000.00	50,000.00
Feb. 15, 1943	U. S. Savings Bonds—Series "G" .....	Feb. 1, 1955	2½	25,000.00	25,000.00
June 14, 1943	U. S. Savings Bonds—Series "G" .....	June 1, 1955	2½	25,000.00	25,000.00
Feb. 3, 1944	U. S. Savings Bonds—Series "G" .....	Jan. 1, 1956	2½	100,000.00	100,000.00
County Issues:					
Jan. 24, 1941	Burke County Refunding Bonds .....	Jan. 1, 1960-63	4.0	34,000.00	34,000.00
Aug. 7, 1941	Burleigh County Refunding Bonds .....	June 15, 1956-61	2¼	120,000.00	120,000.00

Sept. 18, 1941	Hettinger County Refunding Bonds .....	Sept. 1, 1953-61	2%	26,000.00	26,000.00
Oct. 16, 1941	Ward County Refunding Bonds .....	Oct. 1, 1953-55	2%	29,000.00	29,000.00
Oct. 23, 1941	Ward County Refunding Bonds .....	Oct. 1, 1950-53	2%	31,000.00	31,000.00
Oct. 22, 1943	Grant County Refunding Bonds .....	May 1, 1954-57	3.0	36,000.00	36,000.00
Other Issues:					
Jan. 1, 1937	City of Mandan Waterworks Refunding Bonds .....	May 1, 1945-51		28,000.00	28,347.15
July 10, 1937	Township of Great Stone, McLean County Road Bonds .....	Dec. 1, 1948	4.0	300.00	300.00
May 20, 1939	City of Valley City Electric, Water & Heating Revenue Bonds .....	Sept. 15, 1947-52	4.0	39,000.00	41,535.00
May 20, 1939	City of Bismarck Refunding Bonds .....	Mar. 15, 1945-49	4.0	27,000.00	28,752.66
Aug. 6, 1943	State of Arkansas Bonds .....	Apr. 1, 1972	3 1/4	250,000.00	266,774.54
				<u>\$1,658,300.00</u>	<u>\$1,679,709.35</u>

STATE BONDING FUND

## U. S. Government Issues:

June 2, 1941	U. S. Treasury Bonds .....	Mar. 15, 1956-58	2 1/2	\$ 26,000.00	\$ 26,000.00
Oct. 27, 1941	U. S. Treasury Bonds .....	Sept. 15, 1972	2 1/2	28,200.00	28,200.00
Dec. 31, 1941	U. S. Treasury Bonds .....	Sept. 15, 1967-72	2 1/2	12,800.00	12,800.00
Aug. 3, 1942	U. S. Treasury Bonds .....	June 15, 1962-67	2 1/2	100,000.00	100,000.00
May 10, 1943	U. S. Treasury Bonds .....	June 15, 1964-69	2 1/2	100,000.00	100,000.00
July 27, 1944	U. S. Treasury Bonds .....	Mar. 15, 1965-70	2 1/2	100,000.00	100,000.00
Apr. 28, 1941	U. S. Savings Bonds—Series "G" .....	May 1, 1953	2 1/2	50,000.00	50,000.00
Mar. 5, 1942	U. S. Savings Bonds—Series "G" .....	Feb. 1, 1954	2 1/2	50,000.00	50,000.00
July 17, 1942	U. S. Savings Bonds—Series "G" .....	July 1, 1954	2 1/2	50,000.00	50,000.00
July 13, 1943	U. S. Savings Bonds—Series "G" .....	July 1, 1955	2 1/2	10,000.00	10,000.00
Aug. 23, 1943	U. S. Savings Bonds—Series "G" .....	Aug. 1, 1955	2 1/2	15,000.00	15,000.00
Feb. 3, 1944	U. S. Savings Bonds—Series "G" .....	Jan. 1, 1956	2 1/2	100,000.00	100,000.00

## County Issues:

Aug. 20, 1937	Mercer County Funding and Refunding Bonds .....	Aug. 1, 1949-57	4.0	58,000.00	58,000.00
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**SCHEDULE X—(Continued)**  
**SECURITIES OWNED**

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Date Purchase	Description	Maturity	Rate	Principal Amount	Cost
<b>STATE BONDING FUND (Continued)</b>					
Dec. 6, 1940	McKenzie County Funding and Refunding Bonds .....	May 15, 1953	1% to 43 2% to 48 3% to 53	33,000.00	31,350.00
May 31, 1941	Ward County Refunding General Obligation Bonds .....	June 1, 1952-58	2¾	62,000.00	62,704.05
Oct. 16, 1941	Ward County Refunding Bonds .....	Oct. 1, 1955-56	2¾	13,000.00	13,000.00
Jan. 20, 1942	Mountrail County Refunding Bonds .....	Dec. 15, 1945-61	2¾	87,000.00	87,000.00
Nov. 22, 1943	Ward County Refunding Bonds .....	July 1, 1959-61	2¾	30,000.00	30,000.00
Other Issues:					
July 6, 1936	Board of Education Bonds—City of Larimore .....	Apr. 1, 1945-54	4.0	30,000.00	31,183.68
Nov. 4, 1936	Municipal Hospital Bonds—City of Powers Lake .....	Oct. 1, 1944-56	4.0	4,333.35	4,333.35
Nov. 24, 1937	City of Mandan Water Filtration Plant Revenue Bonds .....	Oct. 1, 1951	4.0	2,500.00	2,500.00
Apr. 30, 1941	Streeter School District No. 42, Stutsman County .....	Nov. 1, 1945-54	4.0	19,000.00	20,694.62
Apr. 30, 1941	Arnegard School District No. 11, McKenzie County .....	Dec. 1, 1945-54	4.0	7,500.00	8,224.07
July 20, 1942	State of South Dakota Bonds .....	Aug. 1, 1959	3.0	25,000.00	27,827.85
				<u>\$1,013,333.35</u>	<u>\$1,018,817.62</u>

**STATE HAIL FUND**

U. S. Government Issues:

Apr. 4, 1941	U. S. Treasury Bonds .....	Mar. 15, 1952-54	2½	\$ 22,000.00	\$ 22,000.00
June 7, 1941	U. S. Treasury Bonds .....	Mar. 15, 1956-58	2½	14,000.00	14,000.00
Jan. 19, 1942	U. S. Treasury Bonds .....	Sept. 15, 1967-72	2½	2,500.00	2,500.00
Sept. 9, 1942	U. S. Treasury Bonds .....	June 15, 1962-67	2½	50,000.00	50,000.00
July 27, 1944	U. S. Treasury Bonds .....	Mar. 15, 1965-70	2½	100,000.00	100,000.00

July 6, 1944	U. S. Treasury notes, Series "B"—1947 .....	Mar. 15, 1947	1¼	300,000.00	300,000.00
May 5, 1941	U. S. Savings Bonds—Series "G" .....	May 1, 1953	2½	50,000.00	50,000.00
Mar. 5, 1942	U. S. Savings Bonds—Series "G" .....	Feb. 1, 1954	2½	50,000.00	50,000.00
July 24, 1942	U. S. Savings Bonds—Series "G" .....	July 1, 1954	2½	50,000.00	50,000.00
July 3, 1943	U. S. Savings Bonds—Series "G" .....	July 1, 1955	2½	5,000.00	5,000.00
Feb. 28, 1944	U. S. Savings Bonds—Series "G" .....	Feb. 1, 1956	2½	100,000.00	100,000.00
Other issues :					
July 15, 1939	City of New Salem Water and Sewerage Revenue Bonds .....	July 15, 1955-59	4¼	10,000.00	10,000.00
Mar. 8, 1940	State of South Dakota Refunding Bonds .....	Aug. 1, 1950-59	3.0	400,000.00	422,575.14
May 21, 1940	State of South Dakota Refunding Bonds .....	Aug. 1, 1958	3.0	200,000.00	218,036.20
				<u>1,353,500.00</u>	<u>1,294,111.34</u>

SATURDAY, FEBRUARY 24, 1945

**SCHEDULE XI — SUMMARY OF GROSS UNDERWRITING PROFIT OR LOSS, BY COUNTIES**  
**State Hail Insurance Department — State of North Dakota — Total for the Years 1937 to 1944, Inclusive**

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	Acres Insured	Risk Written	Premiums Earned	Losses Paid	Gross Profit (Loss)
Adams .....	314,125	\$2,394,794.00	\$ 173,363.00	\$ 264,637.00	(\$ 91,274.00)
Barnes .....	40,464	270,054.00	18,407.00	14,526.00	3,881.00
Benson .....	88,434	620,155.00	45,634.00	28,015.00	17,619.00
Billings .....	118,196	893,523.00	69,184.00	60,141.00	9,043.00
Bottineau .....	343,890	2,436,960.00	188,380.00	190,941.00	( 2,561.00)
Bowman .....	308,800	2,253,555.00	180,668.00	263,801.00	( 83,133.00)
Burke .....	115,492	882,207.00	81,117.00	104,472.00	( 23,355.00)
Burleigh .....	80,359	578,640.00	44,299.00	63,215.00	( 18,916.00)
Cass .....	9,448	67,362.00	3,382.00	1,658.00	1,724.00
Cavalier .....	9,788	65,715.00	3,694.00	4,771.00	( 1,077.00)
Dickey .....	25,218	182,565.00	12,545.00	6,386.00	6,159.00
Divide .....	755,043	5,698,542.00	504,641.00	764,638.00	( 259,997.00)
Dunn .....	335,051	2,459,156.00	168,040.00	167,948.00	92.00
Eddy .....	52,099	364,180.00	29,979.00	30,891.00	( 912.00)
Emmons .....	43,986	337,286.00	29,270.00	31,404.00	( 2,134.00)
Foster .....	59,051	389,380.00	29,186.00	23,407.00	5,779.00
Golden Valley .....	464,596	3,526,962.00	286,560.00	303,757.00	( 17,197.00)
Grand Forks .....	17,359	121,518.00	5,247.00	1,370.00	3,877.00
Grant .....	124,607	939,218.00	72,792.00	67,176.00	5,616.00
Griggs .....	14,629	105,799.00	7,592.00	9,187.00	( 1,595.00)
Hettinger .....	362,616	2,623,317.00	222,257.00	259,224.00	( 36,967.00)
Kidder .....	40,036	285,865.00	21,222.00	36,925.00	( 15,703.00)
LaMoire .....	174,353	1,216,500.00	75,118.00	39,965.00	35,153.00
Logan .....	35,930	267,999.00	18,228.00	9,013.00	9,215.00
McHenry .....	129,308	957,922.00	59,851.00	23,870.00	35,981.00

McIntosh .....	18,678	139,859.00	10,045.00	6,631.00	3,414.00
McKenzie .....	187,580	1,426,440.00	128,618.00	116,654.00	11,964.00
McLean .....	171,330	1,250,250.00	80,091.00	31,384.00	48,707.00
Mercer .....	104,808	746,079.00	45,634.00	35,594.00	10,040.00
Morton .....	79,940	582,846.00	46,304.00	30,870.00	15,434.00
Mountrail \.....	206,642	1,520,534.00	114,915.00	58,492.00	56,423.00
Nelson .....	66,090	493,361.00	26,477.00	19,214.00	7,263.00
Oliver .....	22,914	175,602.00	9,780.00	11,943.00	( 2,163.00)
Pembina .....	24,685	169,112.00	6,580.00	1,930.00	4,650.00
Pierce .....	76,803	557,334.00	44,089.00	32,685.00	11,404.00
Ramsey .....	44,693	317,521.00	16,222.00	6,689.00	9,533.00
Ransom .....	63,656	473,836.00	28,895.00	19,776.00	9,119.00
Renville .....	114,343	877,024.00	72,547.00	68,189.00	4,358.00
Richland .....	2,565	17,133.00	486.00	48.00	438.00
Rolette .....	26,147	183,711.00	12,560.00	7,427.00	5,133.00
Sargent .....	19,591	134,008.00	9,106.00	7,224.00	1,882.00
Sheridan .....	47,528	328,428.00	19,760.00	6,087.00	13,673.00
Sioux .....	15,630	119,208.00	8,450.00	3,543.00	4,907.00
Slope .....	297,162	2,164,621.00	181,448.00	279,062.00	( 97,614.00)
Stark .....	296,491	2,071,117.00	166,760.00	189,154.00	( 22,394.00)
Steele .....	32,369	239,650.00	16,554.00	14,794.00	1,760.00
Stutsman .....	44,916	317,475.00	26,374.00	32,271.00	( 5,897.00)
Towner .....	35,475	255,415.00	19,503.00	22,595.00	( 3,092.00)
Trail .....	56,146	396,187.00	16,675.00	4,885.00	11,790.00
Walsh .....	66,205	457,506.00	25,866.00	7,577.00	18,289.00
Ward .....	160,808	1,175,131.00	90,061.00	52,711.00	37,350.00
Wells .....	146,529	981,999.00	79,838.00	72,774.00	7,064.00
Williams .....	561,164	4,222,209.00	378,092.00	294,786.00	83,306.00
<b>TOTAL .....</b>	<b>7,053,266</b>	<b>\$51,732,770.00</b>	<b>\$4,032,386.00</b>	<b>\$4,206,327.00</b>	<b>(\$ 173,941.00)</b>

FIFTY-FOURTH DAY AFTER RECESS  
AND FIFTY-SIXTH DAY

Bismarck, February 26, 1945

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 58.  
Senate Bill No. 104.  
Senate Bill No. 106.  
Senate Bill No. 125.  
Senate Bill No. 165.  
Senate Bill No. 177.  
Senate Bill No. 182.  
Senate Concurrent Resolution No. 7.  
Senate Concurrent Resolution No. 15.

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 107.  
House Bill No. 116.  
House Bill No. 128.  
House Bill No. 137.  
House Bill No. 138.  
House Bill No. 141.  
House Bill No. 160.  
House Bill No. 171.  
House Bill No. 198.  
House Bill No. 280.

And the President signed the same in the presence of the Senate.

The President announced that the Senate would be on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same be amended as follows:

In line 16 strike out the word "specilying" and insert the word "specifying".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same be amended as follows:

In line 28 strike out "not" and insert the word "nor".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 69, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties, to whom was referred House Bill No. 71, have had the same under consideration and recommend that the same be amended as follows:

In Section 2, strike out all of line 11 and line 12 up to and including the word "levy" and insert in lieu thereof the following: "whenever in the discretion of the Board of County Commissioners of any County in this State all taxes authorized to be levied".

In Section 4, line 39, strike out the words "is hereby" and in line 40 strike out the word "authorize and insert in lieu thereof "shall be required".

In line 45 after the word "maturity" insert the following: "such loans to be evidenced by the issuance of Certificates of Indebtedness in the same manner and form as now prescribed by law".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 106, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 110, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 114, have had the same

under consideration and recommend that the same be amended as follows:

In the title of the bill, after the words "period of" strike out the words "one year" and insert in lieu thereof "two years".

In line 10 of the original bill, strike out the language "one year" and insert in lieu thereof the words "two years".

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

• Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted.

Senator Rue made a substitute motion that House Bill No. 126 be indefinitely postponed, which motion, on a standing vote, prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 135, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 145, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance, to whom was referred House Bill No. 159, have had the same under consideration and recommend that the same be amended as follows:

In line 109 strike out "ised" and insert "used".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways, to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 176, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that House Bill No. 177 be re-referred to the Committee on State Affairs, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 188, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 189, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 205, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 208, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 210, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 218, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Welfare to whom was referred House Bill No. 221, have had the same under consideration and recommend that the same do pass.

G. F. DREW, Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 222, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 238, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 239, have had the same under consideration and recommend that the same be indefinitely postponed.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted.

Senator Nordhousen made a substitute motion that House Bill No. 239 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 261, have had the same

under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage, to whom was referred House Bill No. 267, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage, to whom was referred House Bill No. 268, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 269, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage, to whom was referred House Bill No. 270, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means, to whom was referred House Concurrent Resolution "H", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "J", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways, to whom was referred House Joint Resolution No. 2, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to return:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Mirrors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner

Under Section 5-0203 of the North Dakota Revised Code of 1943.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Messenger Motor Vehicles and Trucks at the Same Tax as for the Year 1945 During the Years 1946 and 1947.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers):

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

House Concurrent Resolution "D".

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "V".

House Joint Resolution No. 1.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary

Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to return:

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to return:

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 4, 9 and 46.

KENNETH L. MORGAN, Chief Clerk.

Senator Stucke requested that the Senate be on the eighth order of business, which request was granted.

Senator Stucke moved that the Senate reconsider its action on House Bill No. 195, which motion prevailed.

Senator Stucke moved that House Bill No. 195 be re-referred to the Committee on Public Health, which motion prevailed.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-SIXTH DAY

Bismarck, February 26, 1945

The Senate convened at 2:00 p. m., the President presiding. Prayer by the Chaplain, Rev. Father Justin Luetmer of Mandan.

Roll call: All Senators present except Senator Olson of McHenry.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-third Day After Recess and Fifty-fourth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 58.

Senate Bill No. 104.

Senate Bill No. 106.

Senate Bill No. 177.

Senate Bill No. 182.

Senate Concurrent Resolution No. 7.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 19, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 19 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Brant	Krenz	Reinke
Bond	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	Nordhousen	Wog
Feton	O'Brien	Work
Foss	Oksendahl	Young
Frojen	Olson, Barnes	

Absent and not voting:

Flatt	Olson, McHenry	Semerad
Lofthus	Page	Wahlund

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 26, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 26 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Krenz	Reinke
Brant	Leno	Rue
Bond	Lofthus	Semerad
Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund

Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Absent and not voting:		
Flatt	Nordhougen	Page
Kehoe	Olson, McHenry	

So the bill passed and the title was agreed to.

Senator Streibel moved that the Senate do concur in the House amendments to Senate Bill No. 48, which motion prevailed.

Senator Streibel moved that the rules be suspended, that Senate Bill No. 48 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Dây	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	

Absent and not voting:

Flatt	Nordhougen	Olson, McHenry
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So the bill passed and the title was agreed to.

Senator Stucke moved that the Senate do concur in the House amendments to Senate Bill No. 67, which motion prevailed.

Senator Stucke moved that the rules be suspended, that Senate Bill No. 57 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 57. A Bill for an Act Defining Isonipeacaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

Absent and not voting:

Lofthus                      Murry                      Olson, McHenry

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill No. 122, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 122 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young

Absent and not voting:

Lofthus                      Olson, McHenry

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate refuse to concur in the House amendments to Senate Bill No. 128, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee Senators Morgan, Lynch and Bridston.

Senator Bridston moved that the Senate do concur in the House amendments to Senate Bill No. 150, which motion prevailed.

Senator Bridston moved that the rules be suspended, that Senate Bill No. 150 be considered properly re-engrossed, and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn

amended by the house, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young

Absent and not voting:

Olson, McHenry      Raschko

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Semerad moved that the Senate do concur in the House amendments to Senate Bill No. 88, which motion prevailed.

Senator Semerad moved that the rules be suspended, that Senate Bill No. 88 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were yes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, Mountrail	Young
Frojen	Page	

Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Flatt	O'Brien
Bilden	Foss	Oksendahl
Blank	Frojen	Olson, Barnes
Bond	Kamrath	Page
Brant	Kehoe	Raschko
Braun	Lynch	Rue
Bridston	Krenz	Schrock
Brunsdale	Morgan	Shure
Conrad	Murry	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	Nelson, McKenzie	Young
Feton	Nordhougen	

Those voting in the negative were:

Greiser	Reinke	Stucke
Leno	Semerad	Thatcher
Olson, Mountrail	Streibel	Wahlund
Peterson		

Absent and not voting:

Lofthus                      Olson, McHenry

So the bill passed and the title was agreed to.

Senator Feton moved that the Senate do concur in the House amendments to Senate Bill No. 154, which motion prevailed.

Senator Feton moved that the rules be suspended, that Senate Bill No. 154 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher

Drew	Nordhousen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Greiser	Page	
Absent and not voting:		
Day	Lofthus	Olson, McHenry

So the bill passed and the title was agreed to.

#### FIRST READING OF HOUSE RESOLUTION

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Was read the first time and referred to the Committee on Judiciary.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors

to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945

Mr. Speaker: I have the honor to inform you that the Senate refused to concur in the House amendment to Senate Bill No. 128 and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan, Lynch and Bridston.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 19, 26, 48, 57, 88, 122, 150 and 154.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 8; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kehoe	Raschko
Bond	Krenz	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	O'Brien	Stucke
Dahlen	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, Mountrail	Wog
Flatt	Page	Work
Foss		

Those voting in the negative were:

Blank	Leno	Reinke
Greiser	Nelson, McKenzie	Thatcher
Kamrath	Nordhougen	

Absent and not voting:

Day	Nelson, Griggs- Steele	Olson, McHenry Young
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So the bill passed and the title was agreed to.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Greiser	Raschko
Blank	Kamrath	Reinke
Bond	Kehoe	Rue
Braun	Krenz	Schrock
Bridston	Leno	Shure
Brunsdale	Lynch	Streibel
Conrad	Morgan	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Wahlund
Drew	O'Brien	Wog
Feton	Oksendahl	Work
Flatt	Olson, Barnes	Young
Foss	Olson, Mountrail	

Those voting in the negative were:

Lofthus	Page	Troxel
Murry	Semerad	

Absent and not voting:

Brant	Nelson, Griggs- Steele	Olson, McHenry
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So the bill passed and the title was agreed to.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

Was read the second time.

Senator Olson of Mountrail moved that House Bill No. 92 be indefinitely postponed, which motion lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	Olson, Barnes
Bilden	Frojen	Raschko
Blank	Kamrath	Reinke
Bond	Leno	Rue
Braun	Lynch	Shure
Bridston	Murry	Stucke
Brunsdale	Nelson, Griggs- Steele	Thatcher
Conrad		Troxel
Day	Nelson, McKenzie	Wahlund
Feton	Nordhougen	Wog

Those voting in the negative were:

Brant	Lofthus	Peterson
Dahlen	Morgan	Schrock
Drew	O'Brien	Semerad
Flatt	Oksendahl	Streibel
Kehoe	Olson, Mountrail	Work
Krenz	Page	Young

Absent and not voting:

Greiser                      Olson, McHenry

So the bill passed and the title was agreed to.

Senator Shure moved that the vote by which House Bill No. 92 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Was read the second time.

Senator Drew moved that House Bill No. 109 be indefinitely postponed, which motion, on a standing vote, prevailed.

Senator Raschko demanded a roll call, which was granted.

ROLL CALL

The question being on Senator Drew's motion that House Bill No. 109 be indefinitely postponed, the roll was called and there were ayes, 22; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Nelson, Griggs-	Reinke
Brant	Steele	Streibel
Brunsdale	Nordhogen	Stucke
Dahlen	Oksendahl	Troxel
Drew	Olson, Barnes	Work
Greiser	Olson, Mountrail	

Those voting in the negative were:

Bridston	Leno	Schrock
Day	Lofthus	Semerad
Feton	Morgan	Shure
Flatt	Nelson, McKenzie	Thatcher
Foss	O'Brien	Wahlund
Frojen	Raschko	Wog
Kamrath	Rue	Young

Absent and not voting:

Blank                      Conrad                      Murry  
 Braun                      Lynch                      Olson, McHenry

So House Bill No. 109 was declared indefinitely postponed.

The President called the President Pro Tem to the chair.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 29; absent and not voting, 6.

Those voting in the affirmative were:

Brant	Lofthus	Rue
Bridston	Morgan	Semerad
Brunsdale	Olson, Barnes	Thatcher
Frojen	Olson, Mountrail	Work
Kehoe	Raschko	

Those voting in the negative were:

Beaton	Kamrath	Peterson
Bond	Krenz	Reinke
Conrad	Leno	Schrock
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Greiser	Page	Young

Absent and not voting:

Bilden	Braun	Murry
Blank	Lynch	Olson, McHenry

So the bill was lost.

Senator Bond moved that the vote by which House Bill No. 111 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	

Those voting in the negative were:

Greiser		
Absent and not voting:		
Bilden	Bridston	Olson, McHenry
Braun	Murry	

So the bill passed and the title was agreed to.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Projen	Olson, Mountrail	Young
Greiser		

Absent and not voting:

Olson, McHenry

So the bill passed and the title was agreed to.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 29; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Nelson, McKenzie	Semerad
Blank	Oksendahl	Streibel
Day	Olson, Mountrail	Stucke
Kamrath	Page	Thatcher
Leno	Peterson	Wahlund
Lynch	Schrock	

Those voting in the negative were:		
Beaton	Foss	Olson, Barnes
Brant	Frojen	Raschko
Braun	Graier	Reinke
Bridston	Kehoe	Rue
Brunsdale	Krenz	Shure
Conrad	Lofthaus	Troxel
Dahlen	Morgan	Wog
Drew	Murry	Work
Feton	Nordhougen	Young
Flatt	O'Brien	
Absent and not voting:		
Bond	Nelson, Griggs-	Olson, McHenry
	Steele	

So the bill lost.

Senator Nordhougen: "I change my vote from 'aye' to 'no' for the purpose of reconsideration.

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Was read the second time.

Senator Shure moved that House Bill No. 185 be referred to the Committee on Corporations, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 26, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Blair, Callahan and Mollet on Senate Bill No. 128.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m. Tuesday, February 27, 1945, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTY-SIXTH DAY AFTER RECESS  
AND FIFTY-SEVENTH DAY**

Bismarck, February 27, 1945

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the original bill, strike out the figures 70,000.00 and insert in lieu thereof the figures 90,800.00.

In line 8, strike out the figures 30,200.00 and insert in lieu thereof the figures 24,000.00.

In line 9, strike out the figures 6,000.00 and insert in lieu thereof the figures 5,000.00.

In line 10, strike out the figures 4,000.00 and insert in lieu thereof the figures 3,000.00.

In line 11, strike out the figures 6,000.00 and insert in lieu thereof the figures 5,000.00.

Add line 18 as follows:

Catastrophe Insurance on Risks in Excess of	
\$100,000.00	30,000.00.

Change Line 18, to line 19 and in the same line strike out the figures 70,000.00 and insert in lieu thereof the figures 90,800.00.

And when so amended recommend the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same do pass.

**M. R. YOUNG, Chairman.**

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to

whom was referred House Bill No. 25, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

In line 4, strike out the figures 584,650.00 and insert in lieu thereof the figures 602,450.00.

In line 12, strike out the figures 125,400.00 and insert in lieu thereof the figures 133,600.00.

In line 13, strike out the figures 53,400.00 and insert in lieu thereof the figures 60,000.00.

In line 17, strike out the figures 224,100.00 and insert in lieu thereof the figures 238,900.00.

In line 21, strike out the figures 135,000.00 and insert in lieu thereof the figures 140,000.00.

In line 24, strike out the figures 142,000.00 and insert in lieu thereof the figures 140,000.00.

In line 26, strike out the figures 360,550.00 and insert in lieu thereof the figures 363,550.00.

In line 27, strike out the figures 584,650.00 and insert in lieu thereof the figures 602,450.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 83 have had the same under consideration and recommend that the same do pass and be referred to the Appropriations Committee.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 86, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same do pass.

MARTIN OLSON, Chairman.

Senator Olson of McHenry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 104, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 119, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same be amended as follows:

In line 24 of Section 3, strike out the word "erection" and insert in lieu thereof the words "construction and repair".

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same be amended as follows:

Page 1, line 5, of the re-engrossed bill, strike the word "bond".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish to whom was referred House Bill No. 181, have had the same under consideration and recommend that the same do pass.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 194, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs to whom was referred House Bill No. 213, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Irrigation and Drainage to whom was referred House Bill No. 219, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Bill No. 258, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title of the bill after the word "supervisors" strike out the comma and insert the following: "in organized townships and the Board of County Commissioners in unorganized townships".

In line 7 of the title of the bill strike out the word "county" and the comma immediately following.

In line 5 of Section 1 of the bill strike out the comma following the word "supervisors" and insert the following: "in organized townships and the Board of County Commissioners in unorganized townships".

In line 8 of Section 1 of the bill strike out the words "fifteenth day of September" and insert in lieu thereof the following: "tenth day of July, and if a second cutting is necessary the same shall be done not later than the tenth day of October".

In line 13 of Section 2 of the bill strike out the word "townships" and insert in lieu thereof the following: "organized townships and Board of County Commissioners in unorganized townships".

In line 15 of Section 2 of the bill strike out the words "first day of October" and insert in lieu thereof the following: "tenth day of July and if a second cutting is necessary the same shall be done not later than the tenth day of October."

In line 16 of Section 2 of the bill after the word "grasses" insert the following: "in each organized township".

In line 17 of Section 2 of the bill strike out the words "of such township" and insert in lieu thereof the following: "thereof".

In line 18 of Section 2 of the bill after the word "and" insert "all of such charges in organized and unorganized townships".

In line 24 of Section 2 of the bill strike out the word "townships" and insert in lieu thereof the following: "respective subdivisions entitled thereto".

In line 25 of Sections 2 of the bill strike out the word "county" and the comma following the same.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Counties to whom was referred House Bill No. 259, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted.

Senator Beaton made a substitute motion that House Bill No. 259 be placed on the calendar, which motion, on a standing vote, prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 283, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the original bill strike out the words "milage &".

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 285, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Concurrent Resolution F, have had the

same under consideration and recommend that the same be indefinitely postponed.

MARTIN OLSON, Chairman.

Senator Olson of McHenry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State Affairs to whom was referred House Concurrent Resolution L, have had the same under consideration and recommend that the same be placed on the Calendar without recommendation.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Military and Indian Affairs, to whom was referred House Concurrent Resolution S, have had the same under consideration and recommend that the same do pass.

HARRY O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Lofthus requested that the Senate be on the eighth order of business. Request granted.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Senator Stucke moved that the Senate reconsider its action on House Bill No. 109, which motion prevailed.

Senator Stucke moved that House Bill No. 109 be placed on the calendar, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Coun-

ties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Senate Concurrent Resolution No. 15.

Which the President has signed and your signature is requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

Senate Chamber

Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Which the House has passed unchanged except emergency clause lost on Senate Bill No. 138.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials:

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-SEVENTH DAY

Bismarck, February 27, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. Daniel J. Rueb, of Bismarck. ROLL call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 56th day after recess and 57th day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhogen moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES FROM THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the House has passed unchanged except emergency clause lost on Senate Bill No. 196.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions,

State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House

Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County

Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

House Joint Resolution No. 1.

House Concurrent Resolution "D".

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "V".

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess

of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Concurrent Resolution No. 7. A Concurrent Resolution. Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Senate Concurrent Resolution No. 15.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has requested the return of Senate Bill No. 188.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 9.  
Senate Bill No. 15.  
Senate Bill No. 19.  
Senate Bill No. 23.  
Senate Bill No. 26.  
Senate Bill No. 30.  
Senate Bill No. 48.  
Senate Bill No. 57.  
Senate Bill No. 88.  
Senate Bill No. 116.  
Senate Bill No. 117.  
Senate Bill No. 130.  
Senate Bill No. 150.  
Senate Bill No. 154.  
Senate Bill No. 204.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Corporations to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act authorizing the governing body of any incorporated city or village to declare the growth of weeds on private property within the limits of such city or village a public nuisance, and providing for the cutting thereof, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF  
THE STATE OF NORTH DAKOTA:

SECTION 1. NUISANCE ON PRIVATE PROPERTY.) Where weeds are permitted to grow on any lot, piece or parcel of real property privately owned within the limits of any incorporated city or village the governing body thereof may by resolution declare the same a public nuisance and may give notice to the owner of such property in writing, by personal service, or by registered mail addressed to the owner at his post office address as shown on the records in the office of the County Treasurer, to cut such weeds within ten days from date of such notice; provided, however, that such notice shall not be given more than twice in any one year, to-wit: Once between the 15th day of June and the 15th day of July and once between the 1st day of September and the 1st day of October. In the event that such owner fails to cause such weeds to be so cut as hereinbefore provided, the governing body of any such city or village shall cause the same to be cut and the cost thereof shall be borne by the owner of such property.

SECTION 2. COST TO BE ASSESSED AGAINST PROPERTY.) Upon the completion of such cutting by the governing body, it shall be the duty of the City Auditor or village clerk, as the case may be, to certify to the County Auditor the amount which shall be assessed against each lot or parcel of land for the cutting of such weeds, and it shall be the duty of the County Auditor to spread the same against the respective lots or parcels in the same manner in which special assessments are spread. Such assessments shall become a lien upon such property, and shall be collected at the same time and in the same manner as special taxes are collected.

SECTION 3. EMERGENCY.) This act is hereby declared to be an emergency act and shall be in full force and effect from its passage and approval."

And renumber the lines.

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the reading of the Committee Report on House Bill No. 185 be dispensed with and that it be printed in the Journal, which motion prevailed.

FIRST READING OF SENATE RESOLUTION

Senator Olson of Mountrail introduced:

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Was read the first time and referred to the Committee on Agriculture and Livestock.

Senator Young moved that Senate Bill No. 188 be returned to the House, which motion, on a standing vote, prevailed.

Senator Young moved that the Senate refuse to concur in the House amendments to Senate Bill No. 8, and that a conference committee be appointed, which motion prevailed.

The President appointed as such conference committee Senators Stucke, Young and Braun.

Senator Young moved that the Senaté do concur in the House amendments to Senate Bill No. 12, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 12 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes. 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Greiser		

Those voting in the negative were:

Thatcher

Absent and not voting:

Blank	Morgan	Murry
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So the bill passed and the title was agreed to.

Senator Young moved that Senate Bill No. 24, as amended by the House, be laid over one legislative day, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 29, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 29 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as

amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Foss	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Absent and not voting:

Blank	Flatt	Raschko
Brant	Murry	Stucke
Bridston		

So the bill passed and the title was agreed to.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 44, which motion prevailed.

Senator Rue moved that the rules be suspended, that Senate Bill No. 44 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Reinke
Bilder	Krenz	Rue
Blank	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	O'Brien	Thatcher
Day	Nordhougen	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Page	Work
Frojen	Peterson	Young
Kamrath		

Those voting in the negative were:

Bond	Olson, McHenry	Olson, Mountrail
Greiser	Leno	

**Absent and not voting:**

Brant	Morgan	Raschko
Flatt	Murry	

So the bill passed and the title was agreed to.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 55, which motion prevailed.

Senator Rue moved that the rules be suspended, that Senate Bill No. 55 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lofthus	Semerad
Bridston	Lynch	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

**Absent and not voting:**

Morgan	Nordhogen	Raschko
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill No. 56, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 56 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or

Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	Nordhogen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Bridston Semerad

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator O'Brien moved that action on Senate Bill No. 71 be deferred one legislative day, which motion prevailed.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 85, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 85 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Page
Bond	Leno	Peterson
Braun	Lofthus	Raschko
Brunsdale	Lynch	Reinke
Conrad	Morgan	Rue

Dahlen	Murry	Schrock
Day	Nelson, Griggs-	Shure
Drew	Steele	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	Nordhougen	Thatcher
Foss	O'Brien	Troxel
Frojen	Oksendahl	Wahlund
Greiser	Olson, Barnes	Work

## Absent and not voting:

Brant	Semerad	Young
Bridston	Wog	

So the bill passed and the title was agreed to.

Senator Morgan moved that Senate Bill No. 124 be messaged back to the House for a corrected report, which motion prevailed.

Senator Morgan moved that the Senate do not concur in the House amendments to Senate Bill No. 146 and that a conference committee be appointed, which motion prevailed.

The President appointed as such conference committee Senators Nelson of McKenzie, Morgan and Olson of Barnes.

Senator Kehoe moved that the Senate do concur in the House amendments to Senate Bill No. 178, which motion prevailed.

Senator Kehoe moved that the rules be suspended, that Senate Bill No. 178 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Braun	Leno	Raschko
Bridston	Lofthus	Reinke
Brunsdale	Lynch	Rue
Conrad	Morgan	Shure
Dahlen	Murry	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	Nelson, McKenzie	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Young
Greiser	Olson, McHenry	

## Absent and not voting:

Blank	Nordhougen	Semerad
Brant	Schrock	Work

So the bill passed and the title was agreed to.

Senator Kehoe moved that the Senate do concur in the House amendments to Senate Bill No. 179, which motion prevailed.

Senator Kehoe moved that the rules be suspended, that Senate Bill No. 179 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Young
Frojen		

Those voting in the negative were:

Greiser

Absent and not voting:

Brant	Nordhougen	Work
Nelson, Griggs- Steele	Schrock	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel moved that the Senate do concur in the House amendments to Senate Bill No. 6, which motion, on a standing vote, prevailed.

Senator Streibel moved that the rules be suspended, that Senate Bill No. 6 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Braun	Leno	Semerad
Bridston	Lofthus	Shure
Brunsdale	Lynch	Streibel
Conrad	Murry	Thatcher
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Feton	Olson, McHenry	Young
Foss	Page	

Those voting in the negative were:

Flatt

Absent and not voting:

Brant	Nelson, Griggs-	Olson, Mountrail
Greiser	Steele	Schrock
Morgan	Nelson, McKenzie	Stucke
	Nordhougen	Work

So the bill passed and the title was agreed to.

Senator Bridston: "I vote 'aye' for the purpose of reconsideration."

Senator Wog moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 196 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Crockett, Johnson of Cass and Olson of Barnes.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 8 and the President has appointed as a conference committee Senators Stucke, Young and Braun.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code

of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic

**Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.**

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 124, which the House had messaged over as amended, but no amendments were attached to the bill.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 12, 29, 44, 55, 56, 85, 179 and 6.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 146 and the President has appointed as a conference committee, Senators Nelson of McKenzie, Morgan and Olson of Barnes.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 138, which the House requested.

W. J. TROUT, Secretary.

Senator Day requested a call of the Senate, which request was granted.

The roll call disclosed that the following Senators were absent: Bilden, Krenz, Morgan, Olson of Mountaril.

Senator O'Brien moved that the call of the Senate be dispensed with, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of

1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk

### SECOND READING OF HOUSE BILLS

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; 3 passing; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Frojen	Olson, McHenry,
Bilden	Greiser	Page
Blank	Kamrath	Peterson
Bond	Kehoe	Reinke
Brant	Krenz	Rue
Braun	Leno	Semerad
Bridston	Lofthus	Shure
Brunsdale	Lynch	Streibel
Conrad	Murry	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wahlund
Drew	Nelson, McKenzie	Wog
Feton	Nordhogen	Work
Flatt	Oksendahl	Young
Foss	Olson, Barnes	

Passed:

Morgan	O'Brien	Stucke
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Absent and not voting:

Olson, Mountrail	Raschko	Schrock
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So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which House Bill

No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Morgan requested that he be excused from voting on House Bill No. 186, which request was granted.

Senator O'Brien requested that he be excused from voting on House Bill No. 186, which request was granted.

Senator Stucke requested that he be excused from voting on House Bill No. 186, which request was granted.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Reinke
Bilden	Kehoe	Rue
Blank	Krenz	Semerad
Brant	Leno	Shure
Braun	Lofthus	Streibel
Bridston	Lynch	Stucke
Brunsdale	Morgan	Thatcher
Conrad	Murry	Troxel
Day	Nelson, McKenzie	Wahlund
Drew	Nordhogen	Wog
Flatt	Oksendahl	Work
Frojen	Olson, McHenry	Young
Greiser	Peterson	

Those voting in the negative were:

Bond	Nelson, Griggs-	Olson, Barnes
Feton	Steele	Page
Foss	O'Brien	Raschko

Absent and not voting:

Dahlen	Olson, Mountrail	Schrock
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So the bill passed and the title was agreed to.

Senator Bilden moved that the vote by which House Bill No. 201 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Was read the second time.

Senator Day moved that House Bill No. 58 be amended as follows: In line 17 of the printed Bill strike out the word "two" and insert in lieu thereof the word "one", and change the word "pages" to read "page"; in line 21 of the printed Bill strike out the word "eighteen" and insert in lieu thereof

the words "fifteen and one-half", which motion, on a standing vote, lost.

Senator Day demanded a roll call, which was granted.

#### ROLL CALL

The question being on Senator Day's motion, the roll was called and there were ayes, 20; nays, 27; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Nelson, McKenzie	Rue
Braun	Nordhougen	Semerad
Day	Oksendahl	Streibel
Leno	Olson, McHenry	Stucke
Lynch	Olson, Mountrail	Thatcher
Greiser	Peterson	Wahlund
Kamrath	Reinke	

Those voting in the negative were:

Beaton	Foss	O'Brien
Blank	Frojen	Olson, Barnes
Bond	Kehoe	Page
Brant	Krenz	Raschko
Bridston	Lofthus	Schrock
Brunsdale	Morgan	Shure
Conrad	Murry	Troxel
Dahlen	Nelson, Griggs-	Work
Drew	Steele	Young
Feton		

Absent and not voting:

Flatt	Wog
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So the motion was declared lost.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Foss	Oksendahl
Bilden	Frojen	Olson, Barnes
Blank	Kamrath	Olson, Mountrail
Bond	Kehoe	Page
Brant	Krenz	Peterson
Braun	Leno	Raschko
Bridston	Lofthus	Reinke
Brunsdale	Morgan	Rue
Conrad	Murry	Schrock
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Troxel
Drew	Nelson, McKenzie	Work
Feton	Nordhougen	Young
Flatt	O'Brien	

Those voting in the negative were:

Greiser	Semerad	Thatcher
Lynch	Streibel	Wahlund
Olson, McHenry	Stucke	

Absent and not voting:

Wog

So the bill passed and the title was agreed to.

Senator Day: "I vote 'aye' for the purpose of reconsideration."

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Work
Flatt	Olson, Mountrail	Young
Foss	Page	

Those voting in the negative were:

Lofthus	Olson, McHenry
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Absent and not voting:

Bridston	Murry	Stucke
Greiser	Nordhougen	Wog
Leno		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen		

Absent and not voting:

Bridston	Murry	Stucke
Greiser	Nordhogen	Wog
Morgan		

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

In line 66, of the original bill, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 67, strike out the figures 12,840.00 and insert in lieu thereof the figures 15,000.00.

In line 69, strike out the figures 3,500.00 and insert in lieu thereof the figures 4,500.00.

In Line 73, strike out the figures 29,440.00 and insert in lieu thereof the figures 33,200.00.

In line 88, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 95, strike out the figures 48,300.00 and insert in lieu thereof the figures 48,900.00.

In line 107, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 108, strike out the figures 32,540.00 and insert in lieu thereof the figures 36,000.00.

After line 114, add the following new line:

Maintenance of equipment ..... 400.00.

In line 115, strike out the figures 49,790.00 and insert the figures 53,850.00.

In line 119, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 121, strike out the figures 8,400.00 and insert in lieu thereof the figures 12,000.00.

In line 126, strike out the figures 1,000.00 and insert in lieu thereof the figures 1,500.00.

In line 131, strike out the figures 61,200.00 and insert in lieu thereof the figures 65,900.00.

In line 156, strike out the figures 3,000.00 and insert in lieu thereof the figures 10,000.00.

In line 158, strike out the figures 58,964.00 and insert in lieu thereof the figures 65,964.00.

In line 162, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 165, strike out the figures 15,000.00 and insert in lieu thereof the figures 16,000.00.

In line 170, strike out the figures 39,695.00 and insert in lieu thereof the figures 41,295.00.

In line 189, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 190, strike out the figures 9,000.00 and insert in lieu thereof the figures 12,000.00.

In line 192, strike out the figures 3,150.00 and insert in lieu thereof the figures 9,150.00.

In line 197, strike out the figures 34,750.00 and insert in lieu thereof the figures 44,350.00.

In line 205, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 206, strike out the figures 28,000.00 and insert in lieu thereof the figures 30,000.00.

In line 213, strike out the figures 52,800.00 and insert in lieu thereof the figures 55,400.00.

In line 223, strike out the figures 100.00 and insert in lieu thereof the figures 150.00.

In line 226, strike out the figures 12,910.00 and insert in lieu thereof the figures 12,960.00.

In line 264, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 267, strike out the figures 6,800.00 and insert in lieu thereof the figures 7,800.00.

In line 269, strike out the figures 20,000.00 and insert in lieu thereof the figures 26,000.00.

In line 270, strike out the figures 2,000.00 and insert in lieu thereof the figures 3,000.00.

In line 272, strike out the figures 12,000.00 and insert in lieu thereof the figures 15,000.00.

In line 275, strike out the figures 123,636.00 and insert in lieu thereof the figures 134,236.00.

In line 279, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 286, strike out the figures 5,000.00 and insert in lieu thereof the figures 10,000.00.

In line 289, strike out the figures 319,400.00 and insert in lieu thereof the figures 325,000.00.

In line 339, strike out the figures 10,000.00 and insert in lieu thereof the figures 6,500.00.

In line 340, strike out the figures 500.00 and insert in lieu thereof the figures 300.00.

In line 342, strike out the figures 3,360.00 and insert in lieu thereof the figures 2,360.00.

In line 344, strike out the figures 20,000.00 and insert in lieu thereof the figures 15,300.00.

In line 353, strike out the figures 6,000.00 and insert in lieu thereof the figures 4,800.00.

In line 361, strike out the figures 39,740.00 and insert in lieu thereof the figures 38,540.00.

In line 373, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 374, strike out the figures 8,640.00 and insert in lieu thereof the figures 10,800.00.

In line 379, strike out the figures 22,790.00 and insert in lieu thereof the figures 25,550.00.

In line 418, strike out the figures 8,400.00 and insert in lieu thereof the figures 10,000.00.

In line 423, strike out the figures 30,000.00 and insert in lieu thereof the figures 28,000.00.

In line 429, strike out the figures 3,000.00 and insert in lieu thereof the figures 1,000.00.

In line 430, strike out the figures 148,650.00 and insert in lieu thereof the figures 146,250.00.

In line 442, strike out the figures 8,400.00 and insert in lieu thereof the figures 9,000.00.

In line 443, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 448, strike out the figures 500.00 and insert in lieu thereof the figures 700.00.

In line 454, strike out the figures 47,640.00 and insert in lieu thereof the figures 49,040.00.

In line 457, strike out the word Physically and insert the word "Disabled".

In line 458, strike out the word Handicapped.

In line 459, after the word Funds and the period insert the word "No".

In line 460, strike out the figures 50,000.00 and insert in lieu thereof the figures 56,150.00.

After line 460, add the following line:

Civilian Vocational Education..... 3,850.00

In line 461, strike out the figures 50,000.00 and insert in lieu thereof the figures 60,000.00.

In line 462, strike out the figures 2,365,007.00 and insert in lieu thereof the figures 2,421,037.00.

Renumber the lines.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the reading of the Committee Report on House Bill No. 1 be dispensed with and that action be deferred one legislative day, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 7:00 p.m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that House Bills Nos. 197, 44, 71, 114, 161, and 162 be placed at the foot of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Was read the second time.

Senator Thatcher moved that House Concurrent Resolution "P" be adopted, which motion prevailed.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Barnes
Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Semerad
Brunsdale	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nelson, McKenzie	Wahlund
Feton	Nordhougen	Work
Flatt	O'Brien	Young
Foss	Oksendahl	

Those voting in the negative were:

Conrad Shure

Absent and not voting:

Greiser	Olson, Mountrail	Troxel
Morgan	Schrock	Wog
Olson, McHenry		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Lofthus moved that the vote by which House Bill No. 61 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Streibel requested that the Senate be on the eighth order of business, which request was granted.

Senator Streibel moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 46.  
House Bill No. 65.  
House Bill No. 100.  
House Bill No. 127.  
House Bill No. 136.  
House Bill No. 187.  
House Bill No. 200.  
House Bill No. 242.  
House Bill No. 248.  
House Bill No. 281.  
House Concurrent Resolution D.  
House Concurrent Resolution K.  
House Concurrent Resolution V.  
House Concurrent Resolution Y.  
House Joint Resolution No. 1.

And the President signed the same in the presence of the Senate.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Dahlen	Murry	Semerad
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Thatcher

Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work

Those voting in the negative were:

Conrad	Nelson, Griggs- Steele	Shure
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Absent and not voting:

Braun	Stucke	Young
Greiser		

So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which House Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Kreaz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs- Steele	Shure
Dahlen		Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work

Absent and not voting:

Greiser	Young
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Beaton moved that the vote by which House Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that the House be requested to return House Bill No. 38, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 38.

W. J. TROUT, Secretary.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser		

Those voting in the negative were:

Page Thatcher

Absent and not voting:

Bridston Young

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 144 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue

Braun	Morgan	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Conrad	Greiser	Thatcher
Frojen	Murry	Work

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which House Bill No. 145 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young

Those voting in the negative were:

Beaton

Absent and not voting:

Nordhougen

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Trans-

fer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Greiser	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young

Those voting in the negative were:

Thatcher

Absent and not voting:

Semerad

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nelson of McKenzie moved that the vote by which House Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Drew	Nelson, McKenzie	Thatcher

Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Bridston	Day	Semerad
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that the vote by which House Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President appointed a Conference Committee to act with a like committee from the House on House Bill No. 196, Senators Foss, Dahlen and Nordhougen.

### SECOND READING OF HOUSE BILLS

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Murry	Schrock
Brunsdale	Morgan	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Absent and not voting:

Greiser	Semerad
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So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Lofthus	Raschko
Blank	Lynch	Reinke
Bond	Morgan	Rue
Brant	Murry	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Absent and not voting:

Bridston	Greiser	Leno
Foss		

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Those voting in the negative were:

Thatcher

## Absent and not voting:

Bridston	Nelson, Griggs-	Reinke
Foss	Steele	
Greiser		

So the bill passed and the title was agreed to.

Senator Braun moved that the vote by which House Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return to the Senate House Bill No. 38, which has been requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the Senate do now go into Executive Session, which motion prevailed.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that the rules be suspended and that the action by which House Bill No. 38 was defeated be reconsidered.

Senator Flatt demanded a roll call, which was granted.

## ROLL CALL

The question being on Senator Young's motion, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 0.

## Those voting in the affirmative were:

Beaton	Lofthus	Peterson
Bilden	Lynch	Reinke
Blank	Morgan	Schrock
Brant	Murry	Semerad
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Foss	Nordhougen	Troxel
Frojen	Oksendahl	Wahlund
Greiser	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Work
Leno	Olson, Mountrail	Young

## Those voting in the negative were:

Bond	Feton	Page
Braun	Flatt	Raschko
Conrad	Kehoe	Rue
Day	Krenz	Shure
Drew	O'Brien	

So the motion prevailed.

Senator Brunsdale moved that House Bill No. 38 be placed at the head of the calendar, which motion prevailed.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for

Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 13; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Lynch	Peterson
Bilden	Morgan	Reinke
Blank	Murry	Schrock
Brant	Nelson, Griggs-	Semerad
Bridston	Steele	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Dahlen	Nordhousen	Thatcher
Foss	O'Brien	Troxel
Frojen	Oksendahl	Wahlund
Greiser	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Work
Leno	Olson, Mountrail	Young
Lofthus		

Those voting in the negative were:

Bond	Feton	Page
Braun	Flatt	Raschko
Conrad	Kehoe	Rue
Day	Krenz	Shure
Drew		

So the bill passed and the title was agreed to, and the emergency clause was declared carried:

Senator Nelson of McKenzie moved that the vote by which House Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston: "Mr. President: I came to this Session of the Legislature with a determination to make every effort to help solve the desperate financial straits our public schools are in. Our free public education is the cornerstone of our Democracy. Any sacrifice we make for free education is worth while.

When-I voted against House Bill No. 38 the first time it came up for passage I felt that the compromise tax program arranged here in the Senate was the best solution of our present acute tax problem. Others in the Legislature disagreed with me. As an above-board compromise for the sake of the distressed school districts, other political subdivisions and our state welfare program. I vote 'aye.'"

Senator Conrad: "Mr. President: Just a few years ago there were over forty million dollars of delinquent taxes, property taxes, in North Dakota principally against the farm and the farm home. By the grace of the Almighty giving us rain and the unfortunate situation of the war which raised our prices, we have been able to clean this up and pay practically all of that delinquent tax. I believe this Bill, if we get hard times and short crops, will put our farmers out of business again to the extent where nobody will want North

Dakota farm land and want to live there. We lost one hundred thousand people since 1935 and I don't want to see that again. I want to see some security on the farm and the farm home so people will love the farm and want to come here and live here and be secure in their rights."

Senator Day: "Mr. President: I vote 'no' at this moment principally as a protest against the deal that I understand is pending. I am informed that the so-called sales tax Bill in the House is being held back to await our action on House Bill No. 38, and that in consideration of certain action being taken here on House Bill No. 38 favorable action will be had in the House on the sales tax Bill. I regard that as a violation of our Constitution and statutes and I do not believe it is a deal that is necessary to make in order to come out of this Legislature with good legislation, and I do not believe that in the event it is a deal that it should be made."

Senator Flatt: "Mr. President: I do not choose to hang this tax albatross around the necks of my friends, my neighbors and my constituents. I vote 'no'."

Senator Greiser: "Mr. President: I don't have to make excuses or give explanations for the way I am voting. I am voting the same as I voted in the first place. I vote 'aye'."

Senator Kehoe: "Mr. President: I believe this Bill, if it becomes law, is foreign in law. I do not believe in the principle that the end justifies the means. I vote 'no'."

Senator Krenz: "Mr. President: This looks to me like very serious business. This seems like the first step to shift the entire tax load onto the home owners and other property owners, the people who have through hard labor accumulated property and homes of their own. If these people are forced to shoulder the entire tax load it will in time mean confiscation of property by the State. I vote 'no'."

Senator Raschko: "Mr. President: I voted against House Bill No. 38 in the first instance because of the fact that we had pending in the Committee on Education, which later passed the Senate, Senate Bills 98 and 99. I was satisfied that with the balance in the General Fund and the surplus of three million dollars in the Equalization Fund it was not necessary to raise the tax base from 50% to 75% at this time because it was only a few months ago that the people voted that very thing down. I am satisfied now that with the passage of the sales tax and the passage of Senate Bills 98 and 99 this State will get along and the schools will not suffer, nor the aged, nor the blind, nor the needy children. There is somewhat a question of whether we should pass House Bill 38 and receive favorable consideration on the sales tax. As far as I am concerned the sales tax will have to stand on its own merit. We in this body have passed the sales tax. If the House does not want to pass it, then I ask you, upon which body rests the burden? I do hope that the sales tax will pass. When that sales tax passes, if the House over there decides to vote down Senate Bills 98 and 99, and if I were to be given a chance to vote on House Bill 38 I would, but I feel that House Bill No. 38 and the sales tax are separable. They call for different taxes. The sales tax goes into the Equalization Fund, which takes care of the old people and the dependent children. I think the burden rests upon the House. I can go home and say I did vote for the

sales tax and that I had at heart the welfare of the schools and the aged. I don't like to be railroaded in a proposition where I have to vote for House Bill 38 or the House won't vote for the sales tax. I vote 'no'."

Senator Young: "Mr. President: I am voting for this Bill because it is the only Bill remaining in the Legislature which will provide the necessary money by way of mill levy for the schools. I know of no deal being made for this Bill. This is being insinuated by people who have a habit of doing this. This Bill comes well recommended to us regardless of the fact that some people are against it. I understand it is being sponsored by the State School Officers, the State Educational Association, the County Commissioners Association and the Farmers Union.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bilden	Leno	Reinke
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Morgan	Semerad
Braun	Nelson, McKenzie	Shure
Brunsdale	O'Brien	Streibel
Dahlen	Oksendahl	Thatcher
Drew	Olson, Barnes	Troxel
Feton	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	

Absent and not voting:

Bridston	Foss	Nordhogen
Conrad	Greiser	Stucke
Day	Murry	Wog
Flatt	Nelson, Griggs- Steele	

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 214 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Reinke
Brant	Leno	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Bond	Lofthus	Raschko
Conrad	Murry	Semerad
Greiser	Nordhougen	Wog

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 215 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 217. A Bill for an Act to Amend and Re-nact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, McKenzie	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Absent and not voting:

Bridston	Greiser	Semerad
Conrad		

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 217 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President called the President Pro Tem to the chair.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Shure
Brunsdale	Morgan	Stucke
Conrad	Nelson, McKenzie	Thatcher
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Feton	Olson, McHenry	Work
Flatt	Olson, Mountrail	Young
Foss	Page	

Absent and not voting:

Bridston	Murry	Nordhougen
Greiser	Nelson, Griggs-	Semerad
Leno	Steele	Streibel

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Braun moved that the vote by which House Bill No. 218 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The President resumed the chair.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Olson, Mountrail
Bilden	Krenz	Peterson
Blank	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Shure
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Conrad	Nelson, McKenzie	Thatcher
Dahlen	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath		

Those voting in the negative were:

Bond	Raschko	Schrock
Morgan		

Absent and not voting:

Day	Greiser	Page
Flatt	Murry	Semerad

So the bill passed and the title was agreed to.

Senator Drew moved that the vote by which House Bill No. 221 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that House Bills 222 and 239 be placed at the foot of the calendar, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Resolution No. 3. A Resolution of Impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

Which the House has passed and you are requested to notify the Governor.

KENNETH L. MORGAN, Chief Clerk.

The Secretary of the Senate read House Resolution No. 3.

Senator Bridston moved that the Secretary of the Senate be requested to notify the Governor of the passage of House Resolution No. 3, as requested by the House, which motion prevailed.

Senator Bridston requested that the Senate be on the seventh order of business, which request was granted.

#### FIRST READING OF SENATE RESOLUTIONS

Senators Bridston and Page introduced:

##### SENATE RESOLUTION No. 1

- 1 WHEREAS, The House of Representatives of
- 2 the 29th Legislative Assembly has by resolution
- 3 duly impeached Oscar E. Erickson, the

4 Commissioner of Insurance of the State of North Dakota;  
 5 and  
 6 WHEREAS, By the provisions of Section 198  
 7 of the Constitution of the State of North Dakota and  
 8 by Section 44-0908 of North Dakota Revised Code of  
 9 1943, the said Oscar E. Erickson cannot exercise the  
 10 duties of said office; and there is no one authorized  
 11 by law to perform the duties of his office;  
 12 NOW, THEREFORE, BE IT RESOLVED by the  
 13 Senate of the State of North Dakota that the public  
 14 service may suffer by reason of there being no person  
 15 authorized to perform the duties of the office of  
 16 Commissioner of Insurance, and the Governor is  
 17 hereby requested to designate some suitable person to  
 18 perform the duties of said office.

Senator Bridston moved that the rules be suspended, that Senate Resolution No. 1 be placed upon second reading and final passage, which motion prevailed.

Senate Resolution No. 1.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Blank	Frojen	Oksendahl
Brant	Kamrath	Olson, Barnes
Braun	Kehoe	Olson, McHenry
Bridston	Krenz	Page
Brunsdale	Lynch	Raschko
Conrad	Morgan	Rue
Dahlen	Murry	Schrock
Day	Nelson, Griggs-	Shure
Drew	Steele	Troxel
Feton	Nelson, McKenzie	Wog
Flatt	Nordhougen	Work
Foss	O'Brien	Young

Those voting in the negative were:

Beaton	Peterson	Stucke
Bilden	Reinke	Thatcher
Leno	Streibel	Wahlund
Olson, Mountrail		

Absent and not voting:

Bond	Lofthus	Semerad
Greiser		

So the resolution was declared passed.

Senator Bridston moved that Senate Resolution No. 1 be filed with the Secretary of State and the Governor immediately notified, which motion prevailed.

Senator Bridston moved that Senate Resolution No. 1 be printed in the Journal, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
 Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Conference Committee amendment to Senate Bills Nos. 128 and 8.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Conference Committee amendment to House Bill No. 49.

KENNETH L. MORGAN, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to Senate Bill No. 67.

Senate Bill No. 67 attached hereto.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 11, 87, 117, 118, 139, 142 and House Concurrent Resolution M.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 196 Senators Foss, Dahlen and Nordhogen.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution D.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution V.

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

House Joint Resolution No. 1.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the

Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Which the President has signed.

W. J. TROUT, Secretary.

**MESSAGES FROM THE HOUSE**

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 8, Reps. Symington, Stormon and Sticka.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 146, Reps. Levin, Dalzell and Collette.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., Wednesday, February 28, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS  
AND FIFTY-EIGHTH DAY

Bismarck, February 28, 1945

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

The President announced that the Senate would be on the sixth order of business.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the Senate do concur in the House amendments.

For the Senate:

M. R. YOUNG

E. C. STUCKE

W. J. BRAUN

For the House:

EARL D. SYMINGTON

LEO STICKA

HARRY STORMON

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the rules be suspended, that Senate Bill No. 8 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke

Day	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Absent and not voting:

Bilden	Morgan	Schrock
Drew	Murry	Thatcher
Greiser		

So the bill passed and the title was agreed to.

Senator Streibel requested that the Senate be on the eighth order of business, which request was granted.

Senator Streibel moved that the House be requested to return Senate Bill No. 198.

Senator Streibel demanded a roll call, which was granted.

**ROLL CALL**

The question being on Senator Streibel's motion, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Morgan	Peterson
Blank	Murry	Raschko
Bond	Nelson, Griggs-	Reinke
Conrad	Steele	Schrock
Day	Nelson, McKenzie	Semerad
Kamrath	Nordhougen	Shure
Kehoe	O'Brien	Streibel
Leno	Olson, McHenry	Stucke
Lofthus	Olson, Mountrail	Wahlund
Lynch	Page	Work

Those voting in the negative were:

Brant	Feton	Olson, Barnes
Braun	Flatt	Rue
Bridston	Foss	Troxel
Brunsdale	Frojen	Wog
Dahlen	Krenz	Young
Drew	Oksendahl	

Absent and not voting:

Bilden	Greiser	Thatcher
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So the motion of Senator Streibel prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 128, have had the same under consideration and recommend:

In line 6 strike out the figures \$30,000 and insert in lieu thereof the figures \$25,000 and when so amended, recommend same for passage.

For the Senate:  
 RILIE R. MORGAN  
 J. B. BRIDSTON  
 R. H. LYNCH

For the House:  
 D. S. BLAIR  
 L. E. CALLAHAN  
 J. N. MOLLET

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 128 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen		

Absent and not voting:

Greiser	Nordhousen	Thatcher
Lofthus		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 146, have had the same under consideration and recommend:

In line 11 of the engrossed bill after the word "exceed" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$4.75".

That the Senate accept all other House amendments.

For the Senate:

HJALMER NELSON  
RILIE R. MORGAN  
MELVIN OLSON

For the House:

PALMER LEVIN  
ALEX DALZELL  
WILFRED COLLETTE

Senator Nelson of McKenzie moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 146 be considered properly re-engrossed, and

placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reirke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	O'Brien	Thatcher
Day	Oksendahl	Troxel
Drew	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog
Flatt	Olson, Mountrail	Work
Foss	Page	Young
Frojen		

Absent and not voting:

Greiser	Nelson, Griggs-	Nordhougen
	Steele	

So the bill passed and the title was agreed to.

**REPORT OF SELECT COMMITTEE**

Mr. President: Your Conference Committee, to whom was referred House Bill No. 49, have had the same under consideration and recommend:

That the Senate recede from its amendment to House Bill No. 49.

For the Senate:  
 P. L. FOSS  
 G. I. FETON  
 ROB GREISER

For the House:  
 CURTIS OLSON  
 DAVE HOVEY  
 K. A. FITCH

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Foss moved that the rules be suspended, that House Bill No. 49 be placed upon second reading and final passage as amended, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Morgan	Schrock
Braun	Murry	Semerad
Bridston	Nelson, McKenzie	Streibel
Dahlen	Nordhousen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Those voting in the negative were:

Conrad Shure

Absent and not voting:

Brunsdale Greiser Nelson, Griggs-  
Flatt Steele

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 49 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 8

W. J. TROUT, Secretary.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to Senate Bill No. 146.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of Senate Bill No. 198.

W. J. TROUT, Secretary.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 135. A Bill for an Act to Amend and Re-

enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 48.  
Senate Bill No. 57.  
Senate Bill No. 88.  
Senate Bill No. 116.  
Senate Bill No. 117.  
Senate Bill No. 130.  
Senate Bill No. 150.  
Senate Bill No. 154.  
Senate Bill No. 204.

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 57. A Bill for an Act Defining Isonipecaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 154. A Bill for an Act Amending and Re-

enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 146.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has adopted the report of the Conference Committee on House Bill No. 49.

W. J. TROUT, Secretary.

The President announced that the Senate would be on the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 5, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the original bill, strike out the figures 530,050.00 and insert in lieu thereof the figures 546,750.00.

In line 12, strike out the figures 340,000.00 and insert in lieu thereof the figures 355,000.00.

In line 33, strike out the figures 677,250.00 and insert in lieu thereof the figures 692,250.00.

After line 47, add the following new line:

47a. 7. Truck Exchange.....1,700.00

In line 48, strike out the figures 730,050.00 and insert in lieu thereof the figures 746,750.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same be amended as follows:

On line 3, after the word "fund" insert a comma (,) and strike out the word "and".

On line 5, after the word "fund" insert "and the sum of \$200,000.00 from the Twine Operating Fund".

On line 6, strike out the figures \$401,657.00 and insert in lieu thereof the figures \$501,657.00.

Between lines 40 and 41, insert the following:

New Buildings:

"Administration Building (\$100,000.00 from the General Fund and \$200,000.00 from the Twine Operating Fund) ..... \$300,000.00

In line 67, strike out the figures \$519,657.00 and insert in lieu thereof the figures \$819,657.00.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be amended as follows:

In line 7, change the word "incl." to read "including."

In line 36, change the word "Bldgs." to read "Buildings."

In line 44, change the word "Bldg." to read "Building."

In line 49, change "Sch." to read "School" and in the same line change the word "incl." to read "including."

In line 50, change the word "Equip." to read "Equipment."

In line 56, change the word "Equip." to read "Equipment."

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 23, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 24, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to

whom was referred House Bill No. 27, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 28, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Bill No. 62, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same do pass.

J. B. BRIDSTON, Chairman.

Senator Bridston moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 83, have had the same under consideration and recommend that the same be amended as follows:

In line 124 of the original bill, strike out the figures 20,000.00 and insert in lieu thereof the figures 25,000.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Lands to whom was referred House Bill No. 134, have had the same under consideration and recommend that the same do pass.

MARTIN OLSON, Chairman.

Senator Olson of McHenry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways, to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 28 to 35 inclusive, and insert in lieu thereof the following:

The emergency transportation anywhere in this state, of grain, seed, feed, farm machinery, poultry, livestock, dairy

or other perishable produce: (1) between the farm where the same may be raised, or produced; and the market where the same may be sold, stored, or otherwise disposed of; (2) between the market where the same may be purchased or acquired and the farm where the same may be used, processed or consumed; (3) between the farm where the same may be raised or produced and the farm where the same may be used, processed or consumed, provided, however, that the person for whom such transportation service is furnished shall have obtained a written agreement from, and signed by, the nearest licensed Special or Agricultural carrier to the effect that such licensed motor carrier is unable to furnish such transportation service within 48 hours from the time the application for such transportation is made."

In line 13 of the original bill correct the spelling of the word "further"

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Game and Fish, to whom was referred House Bill No. 180, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title of the original bill after the word "fish" insert the following: "regulating the sale and tagging of deer hides".

At the end of the original bill add the following section:

"SECTION 2.) Provided further that deer hides may be sold when legally taken and properly tagged."

And when so amended recommend the same do pass.

R. R. LOFTHUS, Chairman.

Senator Lofthus moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Public Health, to whom was re-referred House Bill No. 195, have had the same under consideration and recommend that the same do pass.

E. C. STUCKE, Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 203 have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, after the word "County" in line 5, insert the words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education and".

In Section 1, line 4, after the word "County" insert the words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education".

In Section 5, on line 44, after the word "County" insert the

words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Highways to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 276, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 277, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 278, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "G", have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "X", have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture and Live-stock to whom was referred Senate Concurrent Resolution No. 16, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Troxel moved that the rules be suspended, that Senate Concurrent Resolution No. 16 be considered properly.

re-engrossed, and placed upon second reading and final passage, which motion prevailed.

Senator Troxel moved that the Senate adopt Senate Concurrent Resolution No. 16, which motion prevailed and the Resolution was adopted.

Senator Lofthus moved that the absent Sentaors be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-EIGHTH DAY

Bismarck, February 28, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Daniel J. Rueb of Bismarck.

Roll call: All Senators present except Senator Greiser.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-sixth Day After Recess and Fifty-seventh Day and recommend that the same be corrected as follows:

On page 613, in line 12, change "24" to read "124".

And when so corrected recommend that the same be approved.

ORRIS G. NORDHAUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the Committee Report on House Bill No. 1 be adopted, which motion prevailed.

Senator Foss moved that the Committee Report on House Bill No. 185 be adopted, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 24, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 24 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Bilder	Krenz	Reinke
Blank	Leno	Rue

Bond	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Page	Work
Frojen		Young
Kamrath	Peterson	
Absent and not voting:		
Bridston	Murry	Nelson, Griggs-
Dahlen	Olson, Mountrail	Steele
Greiser		

So the bill passed and the title was agreed to.

Senator O'Brien moved that the Senate do concur in the House amendments to Senate Bill No. 71, which motion prevailed.

Senator O'Brien moved that the rules be suspended, that Senate Bill No. 71 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	Nordhougen	Stucke
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Feton	Olson, McHenry	Work
Flatt	Page	Young
Frojen		
Absent and not voting:		
Foss	Nelson, Griggs-	Olson, Mountrail
Greiser	Steele	Thatcher
Murry		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Busi-

ness of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 57. A Bill for an Act Defining Isonipocaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943; Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 129.

KENNETH L. MORGAN, Chief Clerk.

Senator Day moved that Senate Bill No. 129 be returned to the House, as requested, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 124, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 124 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended by the House, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Stucke
Conrad	Nordhougen	Thatcher
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Drew	Olson, Barnes	Wog
Feton	Olson, McHenry	Work
Flatt	Olson, Mountrail	Young
Frojen	Page	

Those voting in the negative were:

Streibel.

Absent and not voting:

Foss	Murry	Nelson, Griggs-
Greiser		Steele

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Wog moved that the Senate do concur in the House amendments to Senate Bill No. 135, which motion prevailed.

Senator Wog moved that the rules be suspended, that Senate Bill No. 135 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Conrad	Olson, Barnes	Wahlund
Feton	Olson, McHenry	Wog

Flatt	Olson, Mountrail	Work
Foss	Page	Young
Frojen		
Absent and not voting:		
Greiser	Leno	Nelson, Griggs- Steele

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill No. 186, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 186 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs- Steele	Shure
Conrad		Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhogen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

#### FIRST READING OF HOUSE RESOLUTION

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Was read the first time and referred to the Committee on Ways and Means.

WEDNESDAY, FEBRUARY 28, 1945

1053

MESSAGE FROM THE GOVERNOR

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, February 28, 1945

Members of the Senate  
Senate Chambers  
State Capitol  
Bismarck, N. Dak.  
Gentlemen:

This is to advise you that I have approved and signed:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

The Bill has been delivered to the Secretary of State's Office.

Respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 24, 71, 124, 135 and 186.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 129, which the House requested.

W. J. TROUT, Secretary.

### SECOND READING OF HOUSE BILLS

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Was read the second time.

Senator O'Brien moved that House Bill No. 197 be amended as follows: In line 11 of the printed Bill, strike out the word "fifteen" and insert in lieu thereof the word "thirty", which motion prevailed.

Senator Page moved that House Bill No. 197 be amended by striking out Sections 11 and 12, which motion lost.

Senator Brunsdale moved that the rules be suspended, that House Bill No. 197 be placed upon second reading and final passage as amended, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Foss	O'Brien
Bilden	Frojen	Oksendahl
Blank	Kamrath	Olson, Barnes
Bond	Kehoe	Olson, Mountrail
Brant	Krenz	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Lynch	Stucke
Conrad	Murry	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Day	Steele	Wahlund
Drew	Nelson, McKenzie	Young
Feton	Nordhougen	

Those voting in the negative were:

Flatt	Peterson	Shure
Morgan	Raschko	Streibel
Olson, McHenry	Reinke	Wog
Page		

Absent and not voting:

Greiser	Work
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So the bill passed and the title was agreed to.

Senator Nordhougen moved that the vote by which House Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish

Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Blank	Kehoe	Raschko
Brant	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Mountrail	Work
Foss	Page	Young
Frojen		

Those voting in the negative were:

Bond	Nelson, McKenzie	Semerad
Lofthus	Olson, McHenry	Troxel
Murry		

Absent and not voting:

Bilden	Greiser	Olson, Barnes
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Leno	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad

Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Those voting in the negative were:		
Brunsdale	Krenz	Page
Conrad	Lofthus	Thatcher
Drew	Olson, Barnes	Troxel
Absent and not voting:		
Bilden	Nelson, Griggs-	Shure
Greiser	Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the vote by which House Bill No. 71 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Flatt moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 12.  
 Senate Concurrent Resolution No. 14.  
 Senate Bill No. 31.  
 Senate Bill No. 37.  
 Senate Bill No. 39.  
 Senate Bill No. 46.  
 Senate Bill No. 51.  
 Senate Bill No. 84.  
 Senate Bill No. 95.  
 Senate Bill No. 101.  
 Senate Bill No. 131.  
 Senate Bill No. 134.  
 Senate Bill No. 141.  
 Senate Bill No. 144.  
 Senate Bill No. 152.  
 Senate Bill No. 210.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 58.  
 Senate Bill No. 104.  
 Senate Bill No. 106.  
 Senate Bill No. 125.  
 Senate Bill No. 165.  
 Senate Bill No. 177.  
 Senate Bill No. 182.

Were delivered to the Governor for his approval at the hour of 3:50 o'clock p.m., February 28, 1945.

W. R. BOND, Chairman.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Concurrent Resolution No. 7.

Senate Concurrent Resolution No. 15.

Were delivered to the Secretary of State for his approval at the hour of 4:30 o'clock p.m.

W. R. BOND, Chairman.

Senator Brunsdale requested a call of the Senate, which was granted.

Senator Brunsdale moved that the Call of the Senate be dispensed with, which motion prevailed.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Over-time or Premium Pay or Penalties on Wages Required or Authorized by Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

Was read the second time.

Senator Page moved that the Senate reconsider its action on the Committee Report on House Bill No. 114, which motion prevailed.

Senator Page moved to strike out the amendments proposed on the Committee Report on House Bill No. 114, which motion, on a standing vote, lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Page
Bond	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhogen	Thatcher
Flatt	O'Brien	Troxel
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Kamrath	Olson, McHenry	Young

Those voting in the negative were:

Beaton	Greiser	Wahlund
Day	Shure	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the vote by which House Bill No. 114 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Leno	Raschko
Bilden	Lofthus	Semerad
Blank	Lynch	Shure
Bond	Murry	Streibel
Brant	Nelson, McKenzie	Stucke
Brunsdale	Nordhogen	Thatcher
Dahlen	O'Brien	Troxel
Foss	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Wog
Kamrath	Peterson	Young

Those voting in the negative were:

Braun	Greiser	Olson, Barnes
Bridston	Kehoe	Page
Conrad	Krenz	Reinke
Day	Nelson, Griggs-	Rue
Drew	Steele	Schrock
Feton	Oksendahl	Work
Flatt		

Absent and not voting:

Morgan

So the bill passed and the title was agreed to.

Senator Streibel: "I change my vote from 'no' to 'aye' for the purpose of reconsideration."

Senator O'Brien: In previous legislative sessions I have opposed legislation, such as proposed in House Bill No. 161, for the principal reason that I do not believe our highways can carry greatly increased weights without heavy damage. I am not yet convinced that House Bill No. 161 is wise legislation. However, large truck operators say they seek an opportunity to help relieve an increasingly grave transportation problem that confronts potato growers in the Red River valley. They also say that under the formula provided in House Bill No. 161 highway drainage will not be greater than at present. If this bill is approved the large truck operators will have a chance to prove their claims. It would be well for them to keep in mind that the legislature can repeal any law it can pass. I vote yes.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Reinke
Bilden	Leno	Rue
Blank	Lofthus	Schrock
Bond	Lynch	Semerad
Brant	Murry	Shure
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke
Conrad	O'Brien	Thatcher
Dahlen	Olson, Barnes	Troxel
Drew	Olson, McHenry	Wahlund
Feton	Olson, Mountrail	Wog
Foss	Peterson	Work
Frojen	Raschko	

Those voting in the negative were:

Day	Krenz	Oksendahl
Flatt	Nelson, Griggs-	
Kehoe	Steele	

Absent and not voting:

Braun	Morgan	Young
Greiser	Page	

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which House Bill No. 162 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen	Page	

Absent and not voting:

Beaton	Leno	Nordhougen
Greiser	Murry	Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Braun moved that the vote by which House Bill

No. 267 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that House Concurrent Resolution "H" be placed at the head of the calendar, which motion prevailed.

House Concurrent Resolution "H," A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Was read the second time.

Senator Young moved that House Concurrent Resolution "H" be amended as follows: Strike out everything after the words "A Resolution", and insert in lieu thereof the following:

#### HOUSE CONCURRENT RESOLUTION "H"

Introduced by Reps. Fitch, Sailer, Crockett, and Schimke  
**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:**

1 WHEREAS, the cost of living has materially increased  
 2 and WHEREAS the present pay schedule of the  
 2a employees  
 3 of the twenty-ninth legislative assembly is inadequate  
 4 to cover their compensation and living expenses;  
 5 NOW, THEREFORE, BE IT RESOLVED BY THE  
 5a HOUSE OF  
 6 REPRESENTATIVES OF THE STATE OF NORTH  
 6a DAKOTA, THE SENATE  
 7 CONCURRING, that living expenses for all legislative  
 8 employees presently being paid five dollars (\$5.00) per  
 9 day or less be allowed at the rate of thirty percent of  
 10 the amount that they now receive as compensation and  
 10a that  
 11 such allowance apply to all the days for which they are  
 12 or have been employed by the twenty-ninth legislative  
 13 assembly. That living expenses for all legislative  
 14 employees presently being paid more than five dollars  
 15 (\$5.00) per day be allowed at the rate of twenty percent  
 16 of the amount that they now receive as compensation  
 17 and that such allowance apply to all the days for which  
 18 they are or have been employed by the twenty-ninth  
 19 legislative assembly.

The question being on the motion of Senator Young, which motion prevailed.

Senator Young moved that the rules be suspended, that House Concurrent Resolution "H" be placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Page
Blank	Leno	Peterson
Brant	Lofthus	Raschko
Braun	Lynch	Reinke
Brunsdale	Morgan	Rue

Conrad	Murry	Schrock
Dahlen	Nelson, Griggs-	Semera'
Day	Steele	Shure
Drew	Nelson, McKenzie	Stucke
Feton	O'Brien	Streibel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Those voting in the negative were:

Bond	Troxel
------	--------

Absent and not voting:

Beaton	Greiser	Thatcher
Bridston	Nordhougen	

So the resolution passed.

Senator Troxel moved that the vote by which House Concurrent Resolution "H" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that House Bill No. 283 be placed at the head of the Calendar, which motion prevailed.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Was read the second time.

Senator Young moved that House Bill No. 283 be amended as follows:

In line 3 of the engrossed bill, strike out the figures "\$12,000.00" and insert in lieu thereof, the figures "\$21,500.00".

In line 7, strike out the figures "\$11,000.00" and insert in lieu thereof the figures "\$20,500.00".

In line 9, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$21,500.00".

Which motion prevailed.

Senator Young moved that the rules be suspended, that House Bill No. 283 be placed upon second reading and final passage as amended, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Krenz	Page
Blank	Kehoe	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund

Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Nelson, McKenzie	Young
Frojen		

Absent and not voting:

Greiser	Stucke	Thatcher
Nordhousen		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Streibel moved that the vote by which House Bill No. 283 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Frojen	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Bridston	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	O'Brien	Stucke
Dahlen	Oksendahl	Thatcher
Day	Olson, Barnes	Troxel
Drew	Olson, McHenry	Wahlund
Flatt	Olson, Mountrail	Work
Foss		

Absent and not voting:

Feton	Nelson, Griggs-	Raschko
Greiser	Steele	Wog
Leno	Nordhousen	Young
Murry		

So the bill passed and the title was agreed to.

Senator Dahlen moved that the vote by which House Bill No. 268 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Bond	Krenz	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, McKenzie	Shure
Dahlen	O'Brien	Streibel
Day	Oksendahl	Thatcher
Drew	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work

Absent and not voting:

Blank	Leno	Raschko
Bridston	Murry	Stucke
Feton	Nelson, Griggs-	Troxel
Flatt	Steele	Young
Greiser	Nordhougen	

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which House Bill No. 269 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return Senate Bill No. 198, which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

**MESSAGES TO THE HOUSE**

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certifi-

cates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 7:00 p. m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### SECOND READING OF HOUSE BILLS

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Lynch	Peterson
Brant	Morgan	Raschko
Brunsdale	Murry	Reinke
Conrad	Nelson, Griggs-	Rue
Dahlen	Steele	Schrock
Day	Nelson, McKenzie	Semerad
Feton	Nordhougen	Streibel
Foss	O'Brien	Stucke
Frojen	Oksendahl	Thatcher
Kamrath	Olson, Barnes	Troxel
Kehoe	Olson, McHenry	Wahlund
Krenz	Olson, Mountrail	Work
Leno	Page	Young

Absent and not voting:

Beaton	Bridston	Lofthus
Blank	Drew	Shure
Bond	Flatt	Wog
Braun	Greiser	

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which House Bill No. 270 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that House Concurrent Resolution "J" and House Bill No. 239 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Bildén	Kehoe	Peterson
Brant	Lynch	Reinke
Bridston	Morgan	Rue
Brunsdale	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Foss	Nordhogen	Stucke
Frojen	O'Brien	Thatcher
Krenz	Oksendahl	Troxel
Leno	Olson, Barnes	Wog
Lofthus	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Those voting in the negative were:

Beaton	Page	Wahlund
Feton	Raschko	

Absent and not voting:

Blank	Braun	Flatt
Bond	Drew	Greiser

So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by which House Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Nelson of McKenzie moved that House Joint Resolution No. 2 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Lofthus	Raschko
Bildén	Lynch	Reinke
Brant	Morgan	Rue

Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Streibel
Dahlen	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Frojen	Olson, Barnes	Wahlund
Kamrath	Olson, McHenry	Wog
Kehoe	Olson, Mountrail	Work
Krenz	Page	Young
Leno	Peterson	
Absent and not voting:		
Blank	Day	Greiser
Bond	Drew	Nelson, McKenzie
Braun	Flatt	Shure

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the vote by which House Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beaton	Lofthus	Raschko
Bilden	Lynch	Reinke
Brant	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nordhougen	Streibel
Feton	O'Brien	Stucke
Foss	Oksendahl	Thatcher
Frojen	Olson, Barnes	Troxel
Kamrath	Olson, McHenry	Wahlund
Kehoe	Olson, Mountrail	Wog
Krenz	Page	Work
Leno	Peterson	Young
Absent and not voting:		
Blank	Day	Greiser
Bond	Drew	Nelson, McKenzie
Braun	Flatt	

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 19 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Lofthus	Raschko
Bilden	Lynch	Reinke
Brant	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Frojen	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Wog
Kehoe	Page	Work
Krenz	Peterson	Young

Absent and not voting:

Blank	Drew	Greiser
Bond	Flatt	Nordhougen
Braun		

So the bill passed and the title was agreed to.

Senator Lofthus moved that the vote by which House Bill No. 25 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Lofthus	Peterson
Bilden	Lynch	Raschko
Brant	Morgan	Reinke
Bridston	Murry	Rue
Brunsdale	Nelson, Griggs-	Schrock
Conrad	Steele	Semerad
Dahlen	Nelson, McKenzie	Shure
Day	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Frojen	Olson, Barnes	Wahlund
Kamrath	Olson, McHenry	Wog
Kehoe	Olson, Mountrail	Work
Krenz	Page	Young

Leno .

Those voting in the negative were:

Streibel		
Absent and not voting:		
Blank	Braun	Flatt
Bond	Drew	Greiser

So the bill passed and the title was agreed to.

Senator Murry moved that the vote by which House Bill No. 32 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 55. A Bill for an Act to Amend and Re-

enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Lofthus	Raschko
Bilden	Lynch	Reinke
Brant	Morgan	Rue
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhousen	Stucke
Feton	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Frojen	Olson, Barnes	Wahlund
Kamrath	Olson, McHenry	Wog
Kehoe	Olson, Mountrail	Work
Krenz	Page	Young
Leno	Peterson	

Absent and not voting:

Blank	Braun	Flatt
Bond	Drew	Greiser

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the vote by which House Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 22; absent and not voting, 6.

Those voting in the affirmative were:

Bridston	Nelson, Griggs-	Rue
Brunsdale	Steele	Shure
Dahlen	Nordhousen	Stucke
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wog
Frojen	Page	Work
Kamrath	Raschko	Young
Morgan		

Those voting in the negative were:

Beaton	Lofthus	Peterson
Bilden	Lynch	Reinke
Brant	Murry	Schrock
Conrad	Nelson, McKenzie	Semerad
Day	O'Brien	Streibel
Kehoe	Olson, McHenry	Thatcher

Krenz	Olson, Mountrail	Wahlund
Leno		
Absent and not voting:		
Blank	Braun	Flatt
Bond	Drew	Greiser

So the bill lost.

Senator Day: "I change my vote from 'aye' to 'nay' for the purpose of reconsideration.

Senator Brunsdale moved that House Bill No. 86 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, McKenzie	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Olson, Barnes	Young
Kehoe	Page	

Those voting in the negative were:

Thatcher

Absent and not voting:

Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the vote by which House Bill No. 88 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young
Absent and not voting:		
Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator O'Brien moved that the vote by which House Bill No. 104 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund. Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young
Absent and not voting:		
Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to.

Senator O'Brien moved that the vote by which House Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States

Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Leno	Raschko
Bilden	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Foss	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young
Krenz		

Those voting in the negative were:

Bond Olson, Mountrail

Absent and not voting:

Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work

Kamrath	Olson, Mountrail	Young
Kehoe	Page	
Absent and not voting:		
Blank	Flatt	Murry
Braun	Greiser	Semerad

So the bill passed and the title was agreed to.

Senator O'Brien moved that the vote by which House Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

Was read the second time.

Senator Olson of Mountrail moved that House Bill No. 150 be indefinitely postponed.

Senator Olson of Mountrail demanded a roll call, which was granted.

#### ROLL CALL

The question being on the motion of Senator Olson of Mountrail, the roll was called and there were ayes, 22; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Conrad	Lofthus	Raschko
Dahlen	Lynch	Reinke
Day	Nelson, McKenzie	Schrock
Drew	Olson, McHenry	Shure
Feton	Olson, Mountrail	Streibel
Kamrath	Page	Thatcher
Kehoe		

Those voting in the negative were:

Bilden	Morgan	Rue
Bond	Nelson, Griggs-	Stucke
Brant	Steele	Troxel
Bridston	Nordhousen	Wahlund
Brunsdale	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young
Leno		

Absent and not voting:

Blank	Flatt	Murry
Braun	Greiser	Semerad

So the motion prevailed and House Bill No. 150 was indefinitely postponed.

Senator Streibel moved that the vote by which the motion of Senator Olson prevailed be reconsidered and the motion to reconsider be laid on the table, which motion lost.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Shure
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nelson, McKenzie	Troxel
Drew	Nordhougen	Wahlund
Foss	O'Brien	Wog
Feton	Oksendahl	Work
Frojen	Olson, Barnes	Young

Those voting in the negative were:

Leno	Page	Streibel
Olson, McHenry	Peterson	
Absent and not voting:		
Blank	Flatt	Murry
Braun	Greiser	Semerad

So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which House Bill No. 158 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Was read the second time.

Senator Olson of McHenry moved that House Bill No. 177 be indefinitely postponed.

Senator Bridston moved that House Bill No. 177 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher

Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young
Absent and not voting:		
Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to.

Senator Conrad moved that the vote by which House Bill No. 181 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhogen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work
Kehoe	Page	Young

Absent and not voting:

Blank	Flatt	Murry
Braun	Greiser	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator O'Brien moved that the vote by which House Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Leno	Raschko
Bilden	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Nelson, Griggs-	Schrock
Bridston	Steele	Semerad
Brunsdale	Nelson, McKenzie	Shure
Conrad	Nordhougen	Streibel
Dahlen	O'Brien	Stucke
Day	Oksendahl	Thatcher
Drew	Olson, Barnes	Troxel
Feton	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young

Absent and not voting:

Blank	Foss	Morgan
Braun	Greiser	Murry
Flatt		

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bilden	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Nelson, McKenzie	Shure
Conrad	Nordhougen	Streibel
Dahlen	O'Brien	Stucke
Day	Oksendahl	Thatcher
Drew	Olson, Barnes	Troxel
Feton	Olson, McHenry	Wahlund
Frojen	Olson, Mountrail	Wog
Kamrath	Page	Work
Kehoe	Peterson	Young

Absent and not voting:

Blank	Foss	Murry
Braun	Greiser	Nelson, Griggs-
Flatt		Steele

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which House Bill No. 219 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 228. A Bill for an Act Authorizing the

County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Was read the second time.

Senator Beaton moved that House Bill No. 228 be amended as follows: In line 4 of the printed Bill after the word "destroy" insert the word "such" and after the word "weeds" insert the words "as leafy spurge and field bindweed", which motion prevailed.

Senator Beaton moved that House Bill No. 228 be further amended as follows: In line 15 of the printed Bill strike out the words "a majority" and insert thereof the words "twenty percent", and after the words "free holders" insert the words "and farm tenants", which motion prevailed.

Senator Young moved that House Bill No. 228 be amended as follows: In line 10 of the printed bill strike the words and figures "twenty-five hundred dollars (\$2,500.00)", and insert in lieu thereof the words and figures "four thousand dollars (\$4,000.00)", and in lines 22 and 23 strike the words and figures "twenty-five hundred dollars (\$2,500.00)", and insert in lieu thereof the words and figures "four thousand dollars (\$4,000.00)", which motion prevailed.

Senator Beaton moved that the rules be suspended, that House Bill No. 228 be placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Reinke
Bilden	Krenz	Rue
Bond	Leno	Schrock
Brant	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Conrad	O'Brien	Stucke
Dahlen	Oksendahl	Thatcher
Day	Olson, Barnes	Troxel
Drew	Olson, McHenry	Wahlund
Foss	Olson, Mountrail	Wog
Feton	Page	Work
Frojen	Peterson	Young
Kehoe	Raschko	

Those voting in the negative were:

Lofthus

Absent and not voting:

Blank	Greiser	Nelson, Griggs-
Braun	Murry	Steele
Flatt		Nordhugen

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Beaton moved that the vote by which House Bill No. 228 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe moved that the Senate do now recess for five minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

The Judiciary Committee requested the unanimous consent of the Senate to introduce a Bill, which request was granted.

**FIRST READING OF SENATE BILLS**

The Judiciary Committee introduced:

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate and the House of Representatives and Officers and Employees and the Method of Payment in Impeachment Proceedings.

Was read the first time and referred to the Committee on Judiciary.

Senator Conrad moved that House Bills Nos. 258 and 259 be laid over one legislative day, which motion, on a standing vote, prevailed.

Senator Day moved that Senate Bill No. 211 be re-referred to the Appropriations Committee, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Bilden	Krenz	Reinke
Bond	Leno	Rue
Brant	Morgan	Schrock
Bridston	Nelson, McKenzie	Shure
Brunsdale	Olson, McHenry	Streibel
Conrad	Nordhougen	Stucke
Dahlen	O'Brien	Troxel
Day	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath	Peterson	

Those voting in the negative were:

Drew	Semerad	Thatcher
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Lofthus

Absent and not voting:

Blank	Greiser	Nelson, Griggs-
Braun	Lynch	Steele
Flatt	Murry	

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 285 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

## House Concurrent Resolution "F."

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of

Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Ad-

ministration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Which the Senate has amended.

W. J. TROUT, Secretary.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 190, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"FOR AN ACT requiring manufacturers, wholesalers and distributors operating through agents who are required to furnish bonds to give the sureties on such bonds notice of acceptance thereof, giving the surety ten days within which to withdraw therefrom, requiring monthly statements to be furnished to the surety, and providing for cancellation of such bonds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1.) In every case in which a
- 2 manufacturer, wholesaler or distributor hereafter
- 2a requires
- 3 a present or prospective agent, salesman, or dealer to
- 4 secure the signature of a surety or guarantor to a
- 5 bond or guaranty for the purpose of delivery of merchan-
- 6 dise to such agent, salesman or dealer, such manufacturer,
- 7 wholesaler or distributor shall furnish such surety or

8 guarantor a correct copy of the bond or obligation,  
9 together with notice of acceptance by the manufacturer,  
10 wholesaler or distributor and setting forth to such  
11 surety or guarantor his right to withdraw as herein  
12 provided, either by registered mail or personal delivery  
13 prior to the first shipment of any merchandise for which  
14 such surety or guarantor might become liable.

15 SECTION 2.) Each surety or guarantor to any  
16 such bond or obligation shall have ten days time after  
17 his receipt of such copy and notice during which he may  
18 give notice either by mail or personal delivery to the  
19 manufacturer, wholesaler or distributor of his with-  
20 drawal from any such bond or obligation, and shall  
21 in the event of his giving such notice of withdrawal as  
22 herein provided incur no liability under any such bond  
23 or obligation to such manufacturer, wholesaler or  
24 distributor.

25 SECTION 3.) In every case in which the  
26 manufacturer, wholesaler or distributor is furnishing  
27 merchandise to any agent, salesman or dealer whose  
28 execution of bond or obligation to such manufacturer,  
29 wholesaler or distributor has been joined in by any  
30 surety or guarantor, such manufacturer, wholesaler or  
31 distributor shall each month during the life of such  
32 bond or obligation furnish each such surety or guarantor  
33 either by mail or personal delivery a statement showing  
34 the debit and credit items incurred and made in the  
35 account between the manufacturer, wholesaler or dis-  
36 tributor and such agent, salesman or dealer during the  
37 immediately preceding month and the exact balance owing  
38 from the agent, salesman or dealer thereon at the date  
39 of such notice.

40 SECTION 4.) Any such surety or guarantor may  
41 at any time give the manufacturer, wholesaler or dis-  
42 tributor either by mail or personal delivery, notice  
43 of withdrawal from the bond or obligation to which he  
44 is a party, and such withdrawal shall be effective as  
45 of the time of the receipt of such notice by the  
46 manufacturer, wholesaler or distributor.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Insurance to whom was referred House Bill No. 254, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Bridston moved that the vote by which House Bill No. 254 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess until 10:00 a. m., Thursday, March 1, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-EIGHTH DAY AFTER RECESS  
AND FIFTY-NINTH DAY

Bismarck, March 1, 1945

The Senate convened at 10:00 a. m. pursuant to recess taken, the President presiding.

Senator Rue moved that House Bill No. 239 be placed at the foot of the Calendar.

Senator Brunsdale requested a call of the Senate, which was granted.

The roll call disclosed that the following Senators were absent: Senators Bilden, Braun, Flatt, Greiser, Morgan, Nordhousen, Schrock, Semerad and Young.

Senator Brunsdale moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Brunsdale moved that House Bill No. 239 be moved to the head of the Calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 15; absent and not voting, 4; passed, 1.

Those voting in the affirmative were:

Beaton	Leno	Reinke
Blank	Morgan	Rue
Bond	Nelson, McKenzie	Schrock
Braun	Nordhousen	Semerad
Bridston	O'Brien	Stucke
Dahlen	Olson, McHenry	Thatcher
Foss	Olson, Mountrail	Troxel
Kamrath	Page	Wahlund
Kehoe	Peterson	Young
Krenz	Raschko	

Those voting in the negative were:

Brant	Lofthus	Olson, Barnes
Conrad	Lynch	Shure
Drew	Nelson, Griggs-	Streibel
Feton	Steele	Wog

Flatt	Oksendahl	Work
Frojen		
Passed:		
Brunsdale		
Absent and not voting:		
Bilden	Greiser	Murry
Day		

So the bill passed and the title was agreed to.

Senator Brunsdale requested that he be excused from voting, which request was granted.

Senator Kehoe: "I change my vote from 'nay' to 'aye' for the purpose of re reconsideration."

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

Was read the second time.

Senator Schrock moved that House Concurrent Resolution "J" be amended as follows: In line 16 of the printed Resolution strike out the word and figure "four (4)" and insert in lieu thereof the words and figures "two and one half (2½)"; and in line 21 after the word "Fund" insert a comma and the following language: "to be supplemented with other money in said Fund derived from sources other than property tax," which motion prevailed.

Senator Schrock moved that the rules be suspended, that House Concurrent Resolution "J" be placed upon second reading and final passage as amended, which motion prevailed.

### ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Murry	Reinke
Blank	Nelson, McKenzie	Schrock
Brant	Nordhougen	Semerad
Day	O'Brien	Stucke
Kamrath	Oksendahl	Thatcher
Leno	Olson, McHenry	Troxel
Lynch	Page	Wog
Morgan	Peterson	Young

Those voting in the negative were:

Bond	Foss	Olson, Mountrail
Braun	Frojen	Raschko
Brunsdale	Kehoe	Rue
Conrad	Krenz	Shure
Dahlen	Lofthus	Streibel
Drew	Nelson, Griggs-	Wahlund
Feton	Steele	Work
Flatt	Olson, Barnes	

Absent and not voting:

Bilden	Bridston	Greiser
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So the Resolution was declared lost.

## House Joint Resolution No. 2.

Was read the second time.

Senator Morgan moved that House Joint Resolution No. 2 be amended as follows: In line 19 after the figure "22" insert "State Highway No. 18 from Hoople, North Dakota south to Inkster, North Dakota"; and in line 27 after the figure "22" insert "State Highway No. 18 from Hoople, North Dakota to Inkster, North Dakota", which motion prevailed.

Senator Morgan moved that House Joint Resolution No. 2 be indefinitely postponed, which motion prevailed.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Was read the second time.

Senator Brunsdale moved that House Concurrent Resolution "S" be adopted, which motion prevailed.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young requested the unanimous consent of the Senate to introduce a Bill, which request was granted.

## FIRST READING OF SENATE BILLS

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Was read the second time.

Senator Rue moved that House Concurrent Resolution "L" be indefinitely postponed, which motion prevailed.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, McKenzie	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	O'Brien	Thatcher

Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath		
Those voting in the negative were:		
Kehoe	Olson, McHenry	Troxel
Absent and not voting:		
Beaton	Greiser	Nordhougen
Bilden		

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which House Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Was read the second time.

Senator Morgan moved that House Bill No. 7 be amended as follows: In line 3 of the printed Bill strike out the figure "\$14,200.00" and insert in lieu thereof "\$14,800.00"; in line 4 strike out the figures "\$5,146,000.00" and insert in lieu thereof "\$5,146,600.00"; in line 8 strike out the figure "\$5,000.00" and insert in lieu thereof "\$5,600.00"; in line 12 strike out the figure "\$14,200.00" and insert in lieu thereof "\$14,800.00"; and in line 21 strike out the figure "\$5,146,000.00" and insert in lieu thereof "\$5,146,600.00", which motion prevailed.

Senator Morgan moved that the rules be suspended, that House Bill No. 7 be placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Bilden	Greiser	Raschko
Flatt	Morgan	

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the vote by which House Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Murry	Semerad
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe	Peterson	

Those voting in the negative were:

Conrad Flatt

Absent and not voting:

Bilden	Morgan	Page
Greiser		

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which House Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund

Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Absent and not voting:

Brant	Greiser	Page
Braun	Morgan	Shure

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Blank	Lofthus	Reinke
Brunsdale	Lynch	Rue
Braun	Morgan	Semerad
Bridston	Murry	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kenoe	Page	

Absent and not voting:

Bond	Brant	Greiser
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So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which House Bill No. 16 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bond	Leno	Raschko
Bilden	Lofthus	Reinke

Blank	Lynch	Rue
Braun	Morgan	Semerad
Bridston	Murry	Schrock
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe	Page	
Absent and not voting:		
Brant	Frojen	Greiser

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		
Absent and not voting:		
Brant	Greiser	Nordhougen
Frojen		

So the bill passed and the title was agreed to.

Senator Murry moved that the vote by which House Bill No. 21 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Kamrath

Absent and not voting:

Brant	Nordhougen	Schrock
Greiser		

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young

Kehoe

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Reinke
Blank	Lofthus	Rue
Bond	Lynch	Schrock
Brant	Murry	Semerad
Braun	Nelson, Griggs-	Streibel
Bridston	Steele	Stucke
Brunsdale	Nelson, McKenzie	Thatcher
Day	Nordhogen	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Olson, McHenry	Young
Kamrath	Olson, Mountrail	

Those voting in the negative were:

Conrad	Kehoe	Raschko
Dahlen	Morgan	Shure
Flatt	O'Brien	Work
Frojen	Page	

Absent and not voting:

Greiser

So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which House Bill No. 24 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe requested that the Senate be on the eighth order of business, which request was granted.

Senator Kehoe, on behalf of the Judiciary Committee, requested the unanimous consent of the Senate to introduce a Bill, which request was granted.

#### FIRST READING OF SENATE BILLS

The Judiciary Committee introduced:

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 1.

And the President signed the same in the presence of the Senate.

Mr. President: Your Committee on Enrollment and Engrsment respectfully report that:

Senate Bill No. 48.  
Senate Bill No. 57.  
Senate Bill No. 88.  
Senate Bill No. 116.  
Senate Bill No. 117.  
Senate Bill No. 130,  
Senate Bill No. 150.  
Senate Bill No. 154.  
Senate Bill No. 204.

Were delivered to the Governor for his approval at the hour of 11:30 a.m. o'clock, March 1, 1945.

W. R. BOND, Chairman.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 69.  
House Bill No. 79.  
House Bill No. 92.  
House Bill No. 106.  
House Bill No. 115.  
House Bill No. 165.  
House Bill No. 188.  
House Bill No. 210.

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 46.  
Senate Bill No. 51.  
Senate Bill No. 84.  
Senate Bill No. 95.  
Senate Bill No. 131.  
Senate Bill No. 134.  
Senate Bill No. 141.  
Senate Bill No. 144.  
Senate Bill No. 152.  
Senate Bill No. 210.  
Senate Concurrent Resolution No. 12.  
Senate Concurrent Resolution No. 14.

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-

enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and

Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Amend and Re-

enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on

the Postwar Military Establishment and the Status of the National Guard.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 128.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

In the third line of the title of the original bill strike out the "and" and insert a comma.

In the fourth line of the title of the original bill strike out the word "and" after the word "Representative" and insert a comma.

In the 5th line of the title of the original bill strike out the period, insert a comma and add the following language: "and declaring an emergency."

In line 9 of the original bill strike out the comma after the word "diem" and insert the word "and".

After line 22 of the original bill insert the following:

"SECTION 2. EMERGENCY.) This act is hereby de-

clared to be an emergency measure and shall be in full force and effect from and after its passage and approval.”

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 212, have had the same under consideration and recommend that the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

In line 12 of the engrossed bill, strike out the figures 1,500.00 and insert in lieu thereof the figures 2,500.00.

In line 13, strike out the figures 17,000.00 and insert in lieu thereof the figures 16,000.00.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the engrossed bill, after the word “Clerkhire” insert the words “and Inspectors”.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the Bill at the end of the Title, after the word “Basis” strike out the period and insert a comma and the following language: “to amend and re-enact Section 15-4012, relating to the distribution of payments on a per pupil basis”;

Strike out all of lines 63, 64, 65 down to and including line 91 and insert the following:

5851-6000 .....	\$ .50
5701-5850 .....	1.00
5551-5700 .....	1.50
5401-5550 .....	2.00
5251-5400 .....	2.50
5101-5250 .....	3.00
4951-5100 .....	3.50
4801-4950 .....	4.00
4651-4800 .....	4.50
4501-4650 .....	5.00

4351-4500 .....	5.50
4201-4350 .....	6.00
4051-4200 .....	6.50
3901-4050 .....	7.00
3751-3900 .....	7.50
3601-3750 .....	8.00
3451-3600 .....	8.50
3301-3450 .....	9.00
3151-3300 .....	10.00
3001-3150 .....	11.00
2851-3000 .....	12.00
2701-2850 .....	13.00
2551-2700 .....	14.00
2401-2550 .....	15.00
2251-2400 .....	16.00
2101-2250 .....	17.00
1951-2100 .....	18.00
1801-1950 .....	19.00
1800-or less .....	20.00

At the end of the bill insert the following:

Section 2. Section 15-4012 of the North Dakota Revised Code of 1943 is hereby amended and re-enacted to read as follows:

15-4012. DISTRIBUTION OF PAYMENTS ON PER PUPIL BASIS. Each school district shall receive one-half of the amount which the superintendent of public instruction has determined to be due to it immediately upon the completion of calculations. The balance of such amount shall be paid on or before April first of each year. When the school term in a district is one of less than nine months, the superintendent shall determine the percentage which such term for which the schools in such district actually are open bears to a nine month term, and such payments shall be only such percentage of the full payment permitted under section 15-4011. A school district which has levied taxes for general purposes during the previous year:

1. Within seven mills of its normal maximum levy, shall receive the full per pupil payment;
2. Within eight mills of its normal maximum levy, shall receive only seventy-five percent of the full per pupil payment;
3. Within nine mills of its normal maximum levy, shall receive only fifty percent of the full per pupil payment;
4. Within ten mills of its normal maximum levy, shall receive only twenty-five percent of the full per pupil payment;
5. Which are not within ten mills of its normal levy shall receive no pupil payment from the fund.

The per pupil payments made to a school district shall not exceed fifty percent of the salaries paid by such district to the teachers thereof during the then current year. The state auditor shall make the per pupil payments on certificates issued by the superintendent of public instruction.

Renumber the lines.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 122, have had the same under consideration and recommend that the same be amended as follows:

In line 9 after the word "district" strike out the balance of the line.

In line 30, strike the word "four" and in lieu thereof insert the word "seven".

In line 34 after the word "within" strike out the word "five" and insert in lieu thereof the word "eight".

In line 37, strike out the word "Six" and in lieu thereof insert the word "nine".

In line 40 strike out the word "seven" and insert in lieu thereof the word "ten".

In line 43 strike out the word "seven" and insert in lieu thereof the word "ten".

Re-number the lines.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 123, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Temperance to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same be amended as follows:

In the Title of the Bill after the word "sale" strike the word "of" and insert in lieu thereof the following: "or delivery of beer, alcohol and".

Line 1 of Section 1 after the word "sell" strike the word "any" and insert in lieu thereof the following: "or deliver any beer, alcohol or".

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 220, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert the following:

For an Act to amend and re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF  
THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 7-0414 of the  
1a North  
2 Dakota Revised Code of 1943 is hereby amended and  
2a re-enacted  
3 to read as follows:

4 SECTION 1. 7-0414. ADVANCEMENT OF FUNDS  
4a TO PROTECT

5 LIENS. Any association may advance funds or make  
5a addition-  
6 loans to members from time to time for maintenance,  
7 repairs, modernization and improvement of real estate on  
8 which the association owns a first mortgage lien, and for  
9 insurance premiums and taxes due and owing thereon,  
9a up to  
10 the original amount of said mortgage or five hundred  
11 dollars, which ever may be the lesser, with or without  
12 changing the terms of said mortgage, and may carry such  
13 advances or loans upon its books as assets of the assoc-  
14 iation, provided the said first mortgage by its terms  
15 reserves in the association the right to make such  
15a advances

16 or additional loans and provided further that such  
16a advances  
17 or loans are used for the purpose stated herein. Such  
18 advances or loans shall be deemed to be merged, incorpor-  
19 ated in and become a part of and secured by said first  
20 mortgage and the association shall have a good and valid  
21 first lien against such real estate and the pledged shares  
22 of such member to secure the payment of funds so  
22a advanced  
23 or loaned.

24 SECTION 2. AMENDMENT.) Section 7-0417 of the  
24a North  
25 Dakota Revised Code of 1943 is hereby amended and re-  
26 enacted as follows:

27 SECTION 7-0417. REPAYMENT OF LOANS. A  
27a share holder

28 may repay at any time any loan made to him by an associ-  
29 ation by paying the principal due thereon less the with-  
30 drawal value of the shares transferred as security there-  
31 for, the interest accrued at the date of such repayment,  
32 and all sums advanced by the association for taxes,  
32a assess-  
33 ments, insurance premiums, maintenance, repairs, modern-  
34 ization, and improvements, with interest thereto:

35 1. Interest on the principal repaid for a period or  
36 three months after the day of repayment, or any such  
37 borrowing member may pay upon any such loan a sum  
37a equal  
38 to the matured value of one or more of the installment  
39 shares transferred and pledged as security therefor, upon  
40 the same proportionate terms as are provided in this  
41 section for payment in full;

42 2. Interest upon such principal for the whole year  
43 when so provided in the by-laws of the association, if the  
44 repayment is made at any time within one year from  
44a the date

45 of the mortgage or other evidence of debt;  
 46 3. If any such association is in the process of  
 47 voluntary liquidation, the shares of a borrowing share-  
 48 holder shall be entitled to full participation in the  
 49 current earnings of such association, and their value as  
 50 thus determined shall be applied upon the indebtedness of  
 51 such member; and

52 4. If any such association is in the process of invol-  
 53 untary liquidation, the minimum value of the shares owned  
 54 by the borrowing shareholder, after allowing for all possi-  
 55 ble losses and the expenses of liquidation, may be allowed  
 56 in the reduction of his indebtedness, and he shall be en-  
 57 titled to receive his proportionate share of any further  
 58 sums that thereafter may be realized from the assets of  
 59 such association.

60 Nothing in this section shall be construed to prevent the  
 61 reduction of any such association's liability to its mem-  
 62 bers, in accordance with section 7-0420.

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 234, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 15, from line 193 to line 211, inclusive.

Strike out all of Section 16, from line 212 to line 222, inclusive.

And when so amended recommend the same do pass.

M. R. YOUNG, Chairman.

Senator Young moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Federal Relations, to whom was referred House Concurrent Resolution N, have had the same under consideration and recommend that the same do pass.

KNUT OKSENDAHL, Chairman.

Senator Oksendahl moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Federal Relations, to whom was referred House Concurrent Resolution O, have had the same under consideration and recommend that the same do pass.

KNUT OKSENDAHL, Chairman.

Senator Oksendahl moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 213, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day requested that the Senate be on the eighth order of business, which request was granted.

Senator Day moved that the Senate reconsider its action on House Bill No. 58, which motion, on a standing vote, prevailed.

Senator Day moved that House Bill No. 58 be placed on the Calendar, which motion prevailed.

Senator Day moved that the Senate reconsider its action in defeating House Bill No. 75, which motion on a standing vote, prevailed.

Senator Day moved that House Bill No. 75 be placed on the calendar, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 146.

KENNETH L. MORGAN, Chief Clerk.

Senator Morgan moved that the request of the House for the return of Senate Bill No. 146 be granted, which motion prevailed.

Senator Lofthus moved that the absent Senators be excused, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Resolution No. 1.

Was delivered to the Secretary of State for his approval at the hour of 1:45 P.M. o'clock, March 1, 1945.

W. R. BOND, Chairman.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 155. A Bill for an Act to Permit a Levy

of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological

Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 1, 1945

Members of the Senate  
Senate Chambers  
Capitol Building  
Bismarck, N. Dak.

Gentlemen:

I have today approved and signed:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the same have been filed with the Secretary of State.

Respectfully,

FRED G. AANDAHL  
Governor of North Dakota

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 114 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Yirchott, Blair and Forseth.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of

1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and

Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Amend and Re-

enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

Senator Young moved that House Bill No. 27 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko

Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Gonrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

#### FIFTY-NINTH DAY

Bismarck, March 1, 1945

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. Daniel J. Rueb of Bismarck. Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-seventh Day After Recess and Fifty-eighth Day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

- Senate Bill No. 24.
- Senate Bill No. 44.
- Senate Bill No. 49.
- Senate Bill No. 68.
- Senate Bill No. 86.
- Senate Bill No. 176.
- Senate Bill No. 178.
- Senate Bill No. 179.
- Senate Bill No. 188.
- Senate Bill No. 196.
- Senate Bill No. 205.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 196, have had the same under consideration and recommend that the Senate do recede from their amendment to House Bill No. 196.

For the Senate:

P. L. FOSS  
ORRIS G. NORDHOUGEN  
P. I. DAHLEN

For the House:

W. M. CROCKETT  
CURTIS OLSON  
A. C. JOHNSON

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Foss moved that the rules be suspended, that House Bill No. 196 be placed upon second reading and final passage as amended, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bilden	Kamrath	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Dahlen	Murry	Semerad
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Young

Those voting in the negative were:

Conrad	Kehoe	Shure
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Absent and not voting:

Blank	Nelson, Griggs- Steele	Stucke Work
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So the bill passed and the title was agreed to.

Senator Braun moved that the Senate refuse to concur in the House amendments to Senate Bill No. 2, and that a conference committee be appointed, which motion prevailed.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 3, which motion prevailed.

Senator Young moved that the rules be suspended, that

Senate Bill No. 3 be considered properly re-engrossed, and placed upon second reading and final passage, as amended, which motion prevailed.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Lynch	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young

Those voting in the negative were:

Greiser

Absent and not voting:

Blank	Nelson, Griggs- Steele	Nordhougen
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So the bill passed and the title was agreed to.

Senator Shure requested that the Senate be on the eighth order of business, which request was granted.

Senator Shure moved that House Bill No. 259 be placed at the head of the calendar, which motion prevailed.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Leno	Rue
Bilden	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Brunsdale	Murry	Streibel
Dahlen	Nelson, McKenzie	Stucke

Drew	Nordhogen	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Krenz	Peterson	
Those voting in the negative were:		
Bond	Greiser	Raschko
Brant	Kehoe	Reinke
Conrad	Page	Wog
Feton		
Absent and not voting:		
Blank	Nelson, Griggs-	O'Brien
Day	Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dahlen moved that the vote by which House Bill No. 259 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Wahlund requested that the Senate be on the eighth order of business, which request was granted.

Senator Wahlund moved that the Senate reconsider its action on House Concurrent Resolution "J", which motion, on a standing vote, lost.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 146 which the House requested.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 196.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraire Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 18, 32, 44, 61, 71, 158, 159, 197, 233 and House Concurrent Resolution H.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendments to House Bills Nos. 7 and 20.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 228 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Devlin, Bymers and Halvorson.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate continue on the twelfth order of business, which motion prevailed.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

Senator Stucke moved that House Bill No. 29 be amended as follows: In line 5 of the engrossed Bill strike out the figure \$3,400,000.00 and insert in lieu thereof the figure \$4,400,000.00; in line 10 strike out the figure \$3,400,000.00 and insert in lieu thereof the figure \$4,400,000.00; in line 11 strike out the figure \$66,725.00 and insert in lieu thereof \$74,725.00; in line 16 strike out the figure \$42,000.00 and insert in lieu thereof the figure \$50,000.00; and in line 28 strike out the figure \$66,725.00 and insert in lieu thereof the figure \$74,725.00.

Senator Greiser demanded a roll call, which was granted.

#### ROLL CALL

The question being on Senator Stuck'e motion, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Lynch	Raschko
Bilden	Murry	Reinke
Blank	Nelson, Griggs-	Schrock
Braun	Steele	Semerad
Bridston	Nelson, McKenzie	Shure
Conrad	Nordhousen	Streibel
Day	Olson, Barnes	Stucke
Greiser	Olson, McHenry	Thatcher

Kamrath	Olson, Mountrail	Troxel
Krenz	Page	Wahlund
Leno	Peterson	Wog
Those voting in the negative were:		
Bond	Flatt	O'Brien
Brant	Foss	Oksendahl
Brunsdale	Kehoe	Rue
Dahlen	Lofthus	Work
Drew	Morgan	Young
Feton		
Absent and not voting:		
Frojen		

So the motion prevailed.

Senator Stucke moved that the rules be suspended, that House Bill No. 29 be placed upon second reading and final passage as amended, which motion prevailed.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Bilden	Leno	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe	Page	

Those voting in the negative were:

Feton

Absent and not voting:

Brant Frojen

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which House Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Murry moved that the Senate return to the House Senate Bill No. 189, which they have requested, which motion prevailed.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation

Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Was read the second time.

Senator Day moved that House Bill No. 62 be amended as follows: In the engrossed bill strike out subsection 17, Section 52-0101, which are lines 385 to 430, inclusive, which motion prevailed.

Senator Day moved that the rules be suspended, that House Bill No. 62 be placed upon second reading and final passage as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Brant	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lofthus	Schrock
Brunsdale	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Drew	Oksendahl	Thatcher
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young

Those voting in the negative were:

Bond

Absent and not voting:

Frojen	Nelson, Griggs-	Nordhousen
Murry	Steele	Troxel
		Wog

So the bill passed and the title was agreed to.

Senator Young moved that House Bill No. 1 be placed at the head of the Calendar, which motion prevailed.

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.  
Was read the second time.

#### ROLL CALL.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Greiser		

Absent and not voting:

Bilden	Nordhougen	Troxel
Frojen	Semerad	Wog
Murry		

So the bill passed and the title was agreed to.

Senator Blank moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that House Bills Nos. 1 and 29 be messaged to the House immediately, which motion prevailed.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Was read the second time.

Senator Brunsdale moved that House Bill No. 70 be indefinitely postponed, which motion prevailed.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Was read the second time.

Senator Day moved that House Bill No. 83 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Com-

missioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Leno	Page
Bond	Lofthus	Peterson
Braun	Lynch	Raschko
Bridston	Morgan	Reinke
Brunsdale	Murry	Rue
Conrad	Nelson, Griggs-	Schrock
Dahlen	Steele	Semerad
Drew	Nelson, McKenzie	Shure
Feton	Nordhougen	Streibel
Flatt	O'Brien	Stucke
Foss	Oksendahl	Thatcher
Greiser	Olson, Barnes	Wahlund
Kamrath	Olson, McHenry	Wog
Kehoe	Olson, Mountrail	Work
Krenz		

Absent and not voting:

Bilden	Day	Troxel
Blank	Frojen	Young
Brant		

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which House Bill No. 134 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 29.  
Senate Bill No. 128.  
Senate Bill No. 133.  
Senate Bill No. 181.  
Senate Bill No. 186.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 21 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Falconer, Sticka and Olson of Barnes.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Which the Senate has amended.

W. J. TROUT, Secretary.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 196.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 189, which the House requested.

W. J. TROUT, Secretary.

Senator Lofthus moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### SECOND READING OF HOUSE BILLS

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Was read the second time.

Senator Rue moved that House Bill No. 172 be indefinitely postponed, which motion, on a standing vote, lost.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Greiser	Reinke
Blank	Kamrath	Schrock
Bond	Lynch	Semerad
Brant	Murry	Shure
Braun	Nelson, McKenzie	Streibel
Bridston	O'Brien	Stucke
Brunsdale	Oksendahl	Thatcher
Conrad	Olson, McHenry	Wahlund
Day	Olson, Mountrail	Wog
Flatt	Page	Young
Foss	Raschko	

Those voting in the negative were:

Dahlen	Lofthus	Olson, Barnes
Drew	Morgan	Peterson
Feton	Nelson, Griggs-	Rue
Kehoe	Steele	Work
Krenz	Nordhogen	

Absent and not voting:

Beaton	Leno	Troxel
Frojen		

So the bill passed and the title was agreed to.

Senator Wog moved that the vote by which House Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Olson, McHenry	Stucke
Drew	Olson, Mountrail	Thatcher
Feton	Nordhogen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Greiser	Olson, Barnes	Work
Kamrath	Page	Young
Kehoe		

Absent and not voting:

Beaton Frojen Leno  
Bridston

So the bill passed and the title was agreed to.

Senator Blank moved that the vote by which House Bill No. 180 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Bridston	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nelson, McKenzie	Streibel
Dahlen	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Greiser	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe		

Those voting in the negative were:

Day Flatt

Absent and not voting:  
Beaton Leno

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which House Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Was read the second time.

Senator Blank moved that House Bill No. 190 be indefinitely postponed, which motion on a standing vote, lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Frojen	Olson, Mountrail
Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Brant	Krenz	Raschko
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Young
Foss		

Those voting in the negative were:

Bond	Murry	Semerad
Greiser	O'Brien	Thatcher
Morgan	Schrock	Work

Absent and not voting:

Leno

So the bill passed and the title was agreed to.

Senator Kehoe moved that the vote by which House Bill No. 190 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale requested that the Senate be on the eighth order of business, which request was granted.

Senator Brunsdale moved that the House be requested to return House Bills Nos. 150 and 254, which motion prevailed.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Was read the second time.

Senator Lofthus moved that House Bill No. 195 be indefinitely postponed, which motion, on a standing vote, lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Murry	Raschko
Bilden	Nelson, McKenzie	Reinke
Blank	Nordhougen	Semerad
Braun	O'Brien	Streibel
Bridston	Oksendahl	Stucke
Greiser	Olson, McHenry	Thatcher
Kamrath	Olson, Mountrail	Troxel
Krenz	Page	Wog
Lynch		

Those voting in the negative were:

Bond	Flatt	Olson, Barnes
Brant	Foss	Peterson
Brunsdale	Frojen	Rue
Conrad	Kehoe	Schrock
Dahlen	Lofthus	Shure

Day	Morgan	Wahlund
Drew	Nelson, Griggs-	Work
Feton	Steele	Young

Absent and not voting:

Leno

So the bill passed and the title was agreed to.

Senator Semerad moved that the vote by which House Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, prevailed.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 98 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Greiser	Olson, Mountrail
Bond	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Those voting in the negative were:

Flatt Lofthus

Absent and not voting:

Leno Page Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Raschko moved that the vote by which House Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Morgan	Schrock
Braun	Murry	Semerad
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	Nordhogen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Page	Young
Kamrath		

Absent and not voting:

Flatt	Leno	Olson, Mountrail
Greiser		

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 223 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 211.

And find the same correctly Engrossed.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bills Nos. 150 and 254 because of an error in transmittal.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of

North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

House Joint Resolution No. 2.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1945.

Mr. President: I have the honor to transmit:

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the Senate has adopted and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 22.

KENNETH L. MORGAN, Chief Clerk.

Mr. President: Your Committee on Enrollment and Engagement respectfully report that:

Senate Bill No. 46.  
Senate Bill No. 51.  
Senate Bill No. 84.  
Senate Bill No. 95.  
Senate Bill No. 131.  
Senate Bill No. 134.  
Senate Bill No. 141.  
Senate Bill No. 144.  
Senate Bill No. 152.  
Senate Bill No. 210.

Were delivered to the Governor for his approval at the hour of 4:20 p. m., March 1, 1945.

W. R. BOND, Chairman.

Mr. President: Your Committee on Enrollment and Engagement respectfully report that:

Senate Concurrent Resolution No. 12.  
Senate Concurrent Resolution No. 14.

Were delivered to the Secretary of State at the hour of 4:15 p. m., March 1, 1945.

W. R. BOND, Chairman.

Mr. President: Your Committee on Enrollment and Engagement respectfully report that they have examined the following bill:

Senate Bill No. 122.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that Senate Bills Nos. 211, 212 and 213 be placed at the head of the calendar, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 211 be placed upon second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Morgan	Schrock
Braun	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Bridston	Greiser	Leno
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blank moved that the vote by which Senate Bill No. 211 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 212 be placed upon second reading and final passage, which motion prevailed.

Senate Bill No. 212. A Bill for an Act to appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Lofthus	Reinke
Bond	Lynch	Rue
Brant	Morgan	Schrock
Braun	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Bridston	Greiser	Leno
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that Senate Bill No. 213 be placed at the foot of the Calendar, which motion prevailed.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Thatcher
Flatt	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe	Page	

Those voting in the negative were:

Beaton

Absent and not voting:

Bridston	Greiser	Wog
Day	Leno	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blank moved that the vote by which House Bill No. 276 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhougen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Greiser	Leno	Shure
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Blank moved that the vote by which House Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad

Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Absent and not voting:		
Greiser	Leno	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Reinke moved that the vote by which House Bill No. 278 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Krenz	Reinke
Bilden	Lynch	Rue
Bond	Morgan	Schrock
Brant	Nelson, Griggs-	Semerad
Braun	Steele	Streibel
Bridston	Nelson, McKenzie	Stucke
Dahlen	O'Brien	Thatcher
Drew	Olson, Barnes	Troxel
Feton	Olson, McHenry	Wahlund
Foss	Raschko	Young
Kamrath		

Those voting in the negative were:

Blank	Kehoe	Page
Brunsdale	Lofthuss	Peterson
Conrad	Murry	Shure
Day	Nordhougen	Wog
Flatt	Oksendahl	Work
Frojen	Olson, Mountrail	

Absent and not voting:

Greiser	Leno
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So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by Which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	Nordhogen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Those voting in the negative were:

Peterson

Absent and not voting:

Greiser                      Leno

So the Resolution passed and the title was agreed to.

Senator Blank moved that the vote by which House Concurrent Resolution G was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Was read the second time.

Senator Bridston moved that House Concurrent Resolution "X" be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has reconsidered its action upon Senate Bill No. 146 and has refused to concur in the Senate amendment to Senate Bill No. 146 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Dalzell, Collette and Levin.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and Gen-

eral Expenses of the Office of Commissioner of Veterans' Affairs.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return House Bills Nos. 150 and 254, which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senator Brunsdale requested that the Senate be on the ninth order of business, which request was granted.

Senator Brunsdale moved that the President appoint a Conference Committee on Senate Bill No. 146, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 146 Senators Brunsdale, Morgan and O'Brien.

The President appointed as a Conference Committee on Senate Bill No. 2 Senators Braun, Young and Bridston.

The President appointed as a Conference Committee on House Bill No. 114 Senators Foss, Dahlen and Nordhogen.

The President appointed as a Conference Committee on House Bill No. 228 Senators Fetton, Wog and Wahlund.

Senator Brunsdale moved that the Senate do now recess until 9:00 a.m. Friday, March 2, 1945, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-NINTH DAY AFTER RECESS  
AND SIXTIETH DAY

Bismarck, March 2, 1945

The Senate convened at 9:00 a. m., pursuant to recess taken, the President presiding.

Senator Streibel requested a call of the Senate, which request was granted.

The roll call disclosed the following Senators absent: Senators Bilden, Blank, Day, Flatt, Foss, Greiser, Kamrath, Morgan, Murry, Nelson of Steele, Nordhaugen, Olson of Mountrail, Page, Raschke, Semerad, and Stucke.

Senator Streibel moved that the call of the Senate be dispensed with, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 21, Senators Rue, Murry and Raschko.

SECOND READING OF HOUSE BILLS

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 25; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Lynch	Reinke
Bilden	Murry	Schrock
Blank	Nelson, McKenzie	Semerad
Bond	Nordhaugen	Streibel
Greiser	O'Brien	Stucke
Kamrath	Olson, McHenry	Thatcher
Leno	Olson, Mountrail	Wahlund
Lofthus	Peterson	Wog

Those voting in the negative were:

Brant	Flatt	Olson, Barnes
Braun	Foss	Page
Bridston	Frojen	Raschko
Brunsdale	Kehoe	Rue
Conrad	Krenz	Shdre
Dahlen	Morgan	Troxel
Feton	Oksendahl	

Day	Nelson, Griggs-	Work
Drew	Steele	Young

So the bill lost.

Senator Brunsdale moved that the vote by which House Bill No. 86 was defeated be reconsidered and the motion to reconsider be laid on the table, which motion, on a standing vote, prevailed.

Senator Braun: "Mr. President: If House Bill No. 86 were amended to include the three and a half million dollars taken from the Highway Department, which today, matched with Federal funds, would amount to seven million dollars, I could go for this bill, but as it is presented, I vote 'no'."

Senator Bond: "Mr. President: I am tired of hearing about this money that was borrowed and not paid back. All of us hate to pay a personal debt. If we borrow a thousand dollars we find it hard to repay. When we come to pay back we hate to let go, but that is proper, and I think this is the farmers' money or the money of his descendents. I vote 'aye'."

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Greiser	Peterson
Bilden	Kamrath	Raschko
Blank	Kehoe	Reinke
Brant	Krenz	Rue
Bond	Leno	Semerad
Braun	Lofthus	Schrock
Bridston	Lynch	Shure
Brunsdale	Morgan	Streibel
Conrad	Nelson, Griggs-	Stucke
Dahlen	Steele	Thatcher
Day	Nordhogen	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, Mountrail	Young
Frojen	Page	

Those voting in the negative were:

Nelson, McKenzie Olson, McHenry

Absent and not voting:

Murry

So the bill passed and the title was agreed to.

Senator Blank moved that the vote by which House Bill No. 177 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Which has been read.

Senator Day moved that House Bill No. 58 be amended as follows: In line 17 of the printed bill, strike out the word "two" and insert in lieu thereof the word "one"; in line 21 strike out the word "eighteen" and insert in lieu thereof the words "fifteen and one-half", which motion, on a standing vote, prevailed.

Senator Morgan moved that House Bill No. 58 be indefinitely postponed, which motion lost.

Senator Day moved that the rules be suspended, that House Bill No. 58 be placed upon second reading and final passage, as amended, which motion, on a standing vote, lost.

Senator Day moved that House Bill No. 58 be placed at the foot of the calendar.

Senator Morgan moved that the motion of Senator Day be laid on the table, which motion, on a standing vote, lost.

The question being on the motion of Senator Day that House Bill No. 58 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Which has been read.

Senator Page moved that House Bill No. 75 be amended as follows: In line 25 of the printed bill starting with the word "with" strike out the rest of the line; strike out all of line 26; strike out all of Section 1; and amend the Title by striking out lines 3, 4 and 5, and the words "such system" in line 6, which motion, on a standing vote, prevailed.

Senator Day moved that House Bill No. 75 be placed upon second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher

Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which House Bill No. 75 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that House Bill No. 58 be placed at the head of the calendar, which motion prevailed.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Lofthus	Peterson
Braun	Lynch	Reinke
Day	Murry	Rue
Drew	Nelson, McKenzie	Semerad
Flatt	Nordhougen	Streibel
Greiser	Olson, McHenry	Stucke
Kamrath	Olson, Mountrail	Thatcher
Kehoe	Page	Wahlund
Leno		

Those voting in the negative were:

Bond	Frojen	Raschko
Brant	Krenz	Schrock
Bridston	Morgan	Shure
Brunsdale	Nelson, Griggs-	Troxel
Conrad	Steele	Wog
Dahlen	O'Brien	Work
Feton	Oksendahl	Young
Foss	Olson, Barnes	

Absent and not voting:

Bilden	Blank
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So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by which House Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Which has been read.

Senator Brunsdale moved that House Bill No. 83 be amended as follows:

Strike out everything in line 6 after word "session", strike out everything in line 7 and strike out the rest of that same sentence in line 8 and insert a period.

After the word "chosen" in line 9 insert the following which will be new line 10 "in the same manner as the members of other committees".

After line 11, put in a new sentence "in the Senate such committee members shall be chosen by the Lt. Governor three (3) from the majority faction and two (2) from the minority faction, such committee members to be chosen from a list of seven (7) members recommended to him by each such political faction.

Renumber the lines accordingly.

Senator Day made a substitute motion that House Bill No. 83 be placed at the foot of the calendar, which motion, on a standing vote, prevailed.

Senator Stucke moved that House Bill No. 27 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Blank	Greiser	Troxel
Flatt	Nordhougen	

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which House Bill No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that House Bill No. 3 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Stucke
Drew	Steele	Thatcher
Feton	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, Barnes	Work
Greiser	Olson, McHenry	Young

Absent and not voting:

Blank	Nordhousen	Troxel
Flatt	Raschko	

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which House Bill No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

## ROLL CALL

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, McKenzie	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Greiser	Olson, Mountrail	Young
Kamrath	Page	

Absent and not voting:

Blank	Flatt	Nordhousen
Bridston	Murry	Troxel

So the bill passed and the title was agreed to.

Senator Semerad moved that the vote by which House Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Beaton	Murry	Troxel
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So the bill passed and the title was agreed to.

Senator Frojen moved that the vote by which House Bill No. 123 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Bridston	Lofthus	Schrock
Brunsdale	Lynch	Semerad
Conrad	Morgan	Shure
Dahlen	Nelson, McKenzie	Streibel

Day	O'Brien	Stucke
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	Young
Frojen		
Absent and not voting:		
Braun	Nelson, Griggs-	Thatcher
Murry	Steele	Troxel
	Nordhougen	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Olson of Barnes moved that the vote by which House Bill No. 147 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 25; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Feton	Oksendahl
Blank	Flatt	Olson, Barnes
Brant	Foss	Raschko
Braun	Frojen	Rue
Bridston	Kehoe	Semerad
Brunsdale	Krenz	Shure
Dahlen	Morgan	Wog

Those voting in the negative were:

Beaton	Lynch	Reinke
Bond	Nelson, McKenzie	Schrock
Conrad	Nordhougen	Streibel
Day	O'Brien	Stucke
Drew	Olson, McHenry	Thatcher
Greiser	Olson, Mountrail	Wahlund
Kamrath	Page	Work
Leno	Peterson	Young
Lofthus		

Absent and not voting:

Murry	Nelson, Griggs-	Troxel
	Steele	

So the bill lost.

Senator Bridston: "I change my vote 'aye' to 'no' for the purpose of reconsideration."

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensa-

tion of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Was read the second time.

Senator Young moved that House Bill No. 234 be amended as follows:

In line 32 of the Title of the printed Bill strike out everything after the word "examiners"; strike out all of lines 33, 34, 35, and the first two words of line 36, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko

Brant	Lofthus	Reinke
Braun	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, McKenzie	Shure
Drew	Nordhougen	Streibel
Flatt	O'Brien	Stucke
Foss	Oksendahl	Thatcher
Frojen	Olson, Barnes	Work
Greiser	Olson, Mountrail	Young
Absent and not voting:		
Bridston	Nelson, Griggs-	Wahlund
Day	Steele	Wog
Feton	Troxel	

So the bill passed and the title was agreed to.

Senator Bond moved that the vote by which House Bill No. 234 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

Was read the second time.

Senator Flatt moved that the Senate adopt House Concurrent Resolution "N", which motion prevailed and the Resolution was adopted.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Was read the second time.

Senator Brunsdale moved that the Senate adopt House Concurrent Resolution "O", which motion prevailed and the Resolution was adopted.

Senator O'Brien moved that the Senate send a message of condolence to Senator Moses and a bouquet of flowers for his sick room, which motion prevailed.

Senator Thatcher moved that Senator O'Brien be appointed as a Committee of One to send a message of condolence and flowers to Senator Moses, which motion prevailed.

The President announced the Senate would be on the fourteenth order of business.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No.	9.
Senate Bill No.	15.
Senate Bill No.	19.
Senate Bill No.	23.
Senate Bill No.	24.
Senate Bill No.	26.
Senate Bill No.	29.
Senate Bill No.	30.

Senate Bill No. 31.  
 Senate Bill No. 37.  
 Senate Bill No. 39.  
 Senate Bill No. 44.  
 Senate Bill No. 49.  
 Senate Bill No. 68.  
 Senate Bill No. 86.  
 Senate Bill No. 101.  
 Senate Bill No. 122.  
 Senate Bill No. 128.  
 Senate Bill No. 133.  
 Senate Bill No. 176.  
 Senate Bill No. 178.  
 Senate Bill No. 179.  
 Senate Bill No. 181.  
 Senate Bill No. 186.  
 Senate Bill No. 188.  
 Senate Bill No. 196.  
 Senate Bill No. 205.

And the President signed the same in the presence of the Senate.

#### MESSAGES FROM THE HOUSE

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements;

Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "BB".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 15. A Bill for an Act Making an Appro-

priation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nominations to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office

for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Foreclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised

Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon

Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "X." A Concurrent Resolu-

tion Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on Senate Bill No. 146, Senators Brunsdale, Morgan and O'Brien.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 114, Senators Foss, Dahlen and Nordhougen.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 228, Senators Fetton, Wog and Wahlund.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2 and the President has appointed as a Con-

ference Committee, to act with a like committee from the House, Senators Braun, Young and Bridston.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 3.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 1:15 p. m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Streibel requested that the Senate be on the eighth order of business, which request was granted.

Senator Streibel moved that the Judiciary Committee be directed to prepare rules and a general plan of procedure for the Impeachment Trial of Oscar E. Erickson, which motion prevailed.

The President announced that the Senate would be on the seventh order of business.

#### FIRST READING OF SENATE RESOLUTIONS

Senator Brunsdale introduced:

Senate Resolution No. 2. A Resolution for the Appointment of a Committee of the Senate to Make Preliminary Arrangements for the Trial of the Impeachment of Oscar E. Erickson, Insurance Commissioner.

Was read the first time and referred to the Judiciary Committee.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Which has been read.

Senator Page moved that the amendment of Senator Brunsdale to House Bill No. 83 be amended as follows: In line 11, strike out the sentence and insert in lieu thereof the following: "In the Senate such committee members shall be elected by the Senate." which motion, on a standing vote, lost.

Senator Day demanded a roll call, which was granted.

#### ROLL CALL

The question being on Senator Page's motion, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Murry	Raschko
Day	Nelson, McKenzie	Reinke
Greiser	Nordhogen	Schrock
Kamrath	Olson, McHenry	Semerad
Kehoe	Olson, Mountrail	Streibel
Leno	Page	Stucke
Lynch	Peterson	Wahlund

Those voting in the negative were:

Beaton	Feton	Oksendahl
Blank	Flatt	Olson, Barnes

Bond	Foss	Rue
Brant	Frojen	Shure
Braun	Krenz	Thatcher
Bridston	Lofthus	Troxel
Brunsdale	Morgan	Wog
Conrad	Nelson, Griggs-	Work
Dahlen	Steele	Young
Drew	O'Brien	

So the motion was declared lost.

Senator Brunsdale moved to amend his amendment to House Bill No. 83 by striking out the word "political" in the amendment commencing in line 11, which motion prevailed.

The question being on the motion of Senator Brunsdale to amend House Bill No. 83, which motion prevailed.

Senator Streibel moved that House Bill No. 83 be indefinitely postponed, which motion, on a standing vote, lost.

Senator Brunsdale moved that House Bill No. 83 be placed upon second reading and final passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 17; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Feton	Oksendahl
Blank	Flatt	Olson, Barnes
Bond	Foss	Page
Brant	Frojen	Raschko
Braun	Kehoe	Rue
Bridston	Krenz	Shure
Brunsdale	Lofthus	Thatcher
Conrad	Morgan	Troxel
Dahlen	Nelson, Griggs-	Wog
Day	Steele	Work
Drew	Nordhougen	Young

Those voting in the negative were:

Bilden	Nelson, McKenzie	Schrock
Greiser	O'Brien	Semerad
Kamrath	Olson, McHenry	Streibel
Leno	Olson, Mountrail	Stucke
Lynch	Peterson	Wahlund
Murry	Reinke	

So the bill passed and the title was agreed to.

Senator Day: "I serve notice of reconsideration."

Senator Brunsdale requested that the Senate be on the seventh order of business, which request was granted.

FIRST READING OF SENATE RESOLUTION

Senator Brunsdale introduced:

Senate Resolution No. 3. A Resolution Setting the Time for the Trial of the Impeachment of Oscar E. Erickson.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Which has been read.

Senator Stucke moved that House Bill No. 27 be amended as follows: That the figures on pages 3 and 4 of the printed Bill, including line 25, be reinstated to the original figures, which motion, on a standing vote, prevailed.

Senator Brunsdale moved that the Senate defer action on House Bill No. 27 so that the Senate may go on the tenth order of business, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 213 be placed upon second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which Senate Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Young moved that House Bill No. 27 be placed upon second reading and final passage as amended, which motion prevailed.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Thatcher
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, Barnes	Work
Frojen	Olson, Mountrail	Young
Greiser	Olson, McHenry	

So the bill passed and the title was agreed to.

Senator Dahlen moved that the vote by which House Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, McHenry
Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Peterson
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher

Drew	Nelson, McKenzie	Troxel
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Wog
Foss	Oksendahl	Work
Frojen	Olson, Barnes	Young
Greiser		
Absent and not voting:		
Bridston	Raschko	Shure
Page		

So the bill passed and the title was agreed to.

Senator Beaton moved that the vote by which House Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 12.  
 Senate Bill No. 32.  
 Senate Bill No. 43.  
 Senate Bill No. 67.  
 Senate Bill No. 71.  
 Senate Bill No. 72.  
 Senate Bill No. 73.  
 Senate Bill No. 74.  
 Senate Bill No. 135.

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Ways and Means to whom was referred House Concurrent Resolution "Z," have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
 Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 123. A Bill for an Act to Amend and Re-

enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Re-

vised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 21, Senators Rue, Murry and Raschko.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of

Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Which the House requests you to amend as follows:

In the title of the bill insert the repeal clause with refer-

ence to Section 39-0433 of the North Dakota Revised Code of 1843.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "EE".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 21 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 21, have had the same under consideration and recommend that the House recede from their objection and do concur in the Senate amendments.

For the Senate:  
MILTON RUE  
M. J. RASCHKO  
RAY MURRY.

For the House:  
WM. B. FALCONER  
CURTIS OLSON  
LEO STICKA.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 114 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 114, have had the same under consideration and recommend the Senate recedes from its amendment.

For the Senate:  
P. L. FOSS  
P. I. DAHLEN  
ORRIS G. NORDHOUGEN

For the House:  
T. C. YIRCHOTT  
D. S. BLAIR  
S. A. FORSETH.

Sen. Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Foss moved that the rules be suspended, that House Bill No. 114 be placed upon second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by Conference Committee, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Frojen	O'Brien
Bond	Kehoe	Oksendahl
Brant	Krenz	Olson, Barnes
Braun	Leno	Peterson
Bridston	Lofthus	Raschko
Brunsdale	Lynch	Reinke
Conrad	Morgan	Rue
Dahlen	Murry	Semerad
Drew	Nelson, Griggs-	Troxel
Feton	Steele	Wog
Flatt	Nelson, McKenzie	Work
Foss	Nordhougen	

Those voting in the negative were:

Beaton	Olson, McHenry	Stucke
Day	Schrock	Thatcher
Greiser	Shure	Wahlund
Kamrath	Streibel	Young

Absent and not voting:

Blank	Olson, Mountrail	Page
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So the bill passed and the title was agreed to.

Senator Rue moved that the vote by which House Bill No. 114 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## FIRST READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "BB".

Was read the first time and referred to the Committee on Ways and Means.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Was read the first time and referred to the Committee on Ways and Means.

House Concurrent Resolution "EE".

Was read the first time and referred to the Committee on Ways and Means.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "DD" be placed upon second reading and final passage, which motion prevailed.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Was read the second time.

Senator Flatt moved that House Concurrent Resolution "DD" be amended as follows: In line 20 of the original resolution after the word "agriculture" strike out the period, insert a comma, and the following language: "that all other machinery manufactured and not used which can be used for agricultural purposes be released to farmers.", which motion prevailed.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "DD" be placed upon second reading and final passage as amended, which motion prevailed.

Senator Flatt moved that the Senate adopt House Concurrent Resolution "DD", which motion prevailed.

The Conference Committee on House Bill No. 48 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 48, have had the same under consideration and recommend that the Senate recede from all their amendments and that the bill be amended as follows: In the title of the engrossed bill, strike out the period after the word county officers and add the following: "and declaring an emergency." Strike out line 21 and all lines after 21 in the engrossed bill and add the following: "Provided, however, that such codifications and copies of the session laws shall remain the permanent property of the county. Section 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

For the Senate:

W. H. SHURE  
CARROLL E. DAY  
J. J. KEHOE.

For the House:

JOHNSON of Richland  
MANFRED OHNSTAD  
F. J. GRAHAM.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the rules be suspended, that House Bill No. 48 be placed upon second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhousen	Thatcher
Foss	O'Brien	Troxel

Flatt	Oksendahl	Wahlund
Frojen	Olson, Barnes	Wog
Greiser	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Absent and not voting:		
Bilden	Feton	Page
Brunsdale	Kehoe	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 48.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 114.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 21.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senator Kehoe requested that the Senate be on the eighth order of business, which request was granted.

Snator Kehoe moved that the House be requested to return House Bill No. 239, which motion lost.

The President announced that the Senate would be on the ninth order of business.

Senator Streibel moved that the Senate reconsider its action on House Bill No. 222, which motion prevailed.

Senator Streibel moved that House Bill No. 222 be amended, as requested by the House, as follows: In the title of the

Bill insert the repeal clause with reference to Section 39-0433 of the North-Dakota Revised Code of 1943, which motion prevailed.

Senator Streibel moved that the rules be suspended, that House Bill No. 222 be placed upon second reading and final passage as amended, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Leno	Rue
Brant	Lofthus	Schrock
Braun	Lynch	Semerad
Bridston	Morgan	Shure
Conrad	Murry	Streibel
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhousen	Troxel
Feton	O'Brien	Wahlund
Foss	Okseridahl	Wog
Flatt	Olson, Barnes	Work
Frojen	Olson, McHenry	Young
Greiser	Olson, Mountrail	

Absent and not voting:

Brunsdale	Nelson, McKenzie	Page
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So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by which House Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Bridston requested that the Senate be on the eighth order of business, which request was granted.

Senator Bridston moved that the Senate reconsider its action by which House Bill No. 220 was defeated, which motion, on a standing vote, prevailed.

Senator Bridston moved that the rules be suspended, that House Bill No. 220 be placed upon second reading and final passage, which motion prevailed.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Foss	Olson, Barnes
Bilden	Frojen	Raschko
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Semerad
Braun	Lofthus	Shure
Bridston	Morgan	Stucke
Brunsdale	Murry	Thatcher
Dahlen	Nelson, Griggs-	Troxel
Drew	Steele	Wog
Feton	O'Brien	Young
Flatt	Oksendahl	

Those voting in the negative were:

Conrad	Nelson, McKenzie	Peterson
Day	Nordhougen	Streibel
Greiser	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Work
Lynch	Page	

Absent and not voting:  
Schrock

So the bill passed and the title was agreed to.

Senator Nordhaugen moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

## SIXTIETH DAY

Bismarck, March 2, 1945

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplan, Rev. Daniel J. Rueb, of Bismarck.  
Roll call: All Senators present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the 58th day after recess and 59th day and find the same correct.

ORRIS G. NORDHOUGEN, Chairman.

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations,

Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Which the Senate has amended.

W. J. TROUT, Secretary.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 203.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services,

Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

Senator Streibel moved that the Senate do now recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 11, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 11 be considered properly re-engrossed, and placed upon second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ays, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Bridston	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nelson, McKenzie	Stucke
Feton	Nordhougen	Troxel
Flatt	O'Brien	Wahlund
Foss	Oksendahl	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Bilden	Greiser	Thatcher
Brunsdale	Olson, Barnes	

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 13, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 13 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special

Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhogen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		

Absent and not voting:

Bilden	Olson, Barnes	Thatcher
Greiser		

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 14, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 14 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Murry	Schrock
Brunsdale	Morgan	Semerad

Conrad	Nelson, McKenzie	Shure
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Oksendahl	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath		
Absent and not voting:		
Bilden	Olson, Barnes	Thatcher
Greiser		

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 16, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 16 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young

Absent and not voting:

Bilden Greiser

So the bill passed and the title was agreed to.

Senator Young moved that the Senate refuse to concur in the House amendments to Senate Bill No. 17 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee Senators Morgan, Stucke and Braun.

Senator O'Brien moved that the Senate do concur in the House amendments to Senate Bill No. 22, which motion prevailed.

Senator O'Brien moved that the rules be suspended, that Senate Bill No. 22 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lorthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kenoe		

Absent and not voting:

Bilden	Greiser	Nordhougen
Bridston		

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 25, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 25 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad

Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Peterson	Young
Kehoe		
Absent and not voting:		
Bilden	Greiser	Nordhougen
Bridston	Nelson, McKenzie	Page
Day		

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 27, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 27 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Braun	Morgan	Rue
Bridston	Murry	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Shure
Day	Nelson, McKenzie	Streibel
Drew	Nordhougen	Stucke
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Those voting in the negative were:

Thatcher

Absent and not voting:

Brant	Brunsdale	Greiser
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So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 28, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 28 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Page
Bilden	Leno	Peterson
Blank	Lofthus	Raschko
Bond	Lynch	Reinke
Brant	Morgan	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Semerad
Conrad	Steele	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhogen	Stucke
Drew	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, McHenry	Work
Kamrath	Olson, Mountrail	Young
Kehoe		

Absent and not voting:

Bridston	Greiser	Troxel
Feton		

So the bill passed and the title was agreed to.

Senator O'Brien moved that the Senate do concur in the House amendments to Senate Bill No. 36, which motion prevailed.

Senator O'Brien moved that the rules be suspended, that Senate Bill No. 36 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kehoe	Peterson
Bilden	Krenz	Raschko
Blank	Leno	Reinke

Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Bridston	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nelson, McKenzie	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	Young
Kamrath	Page	
Absent and not voting:		
Flatt	Greiser	Nordhougen

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the Senate refuse to concur in the House amendments to Senate Bill No. 69 and that the President appoint a Conference Committee, which motion prevailed.

The President appointed as such Conference Committee Senators Rue, O'Brien and Stucke.

Senator Stucke moved that the Senate do concur in the House amendments to Senate Bill No. 115, which motion prevailed.

Senator Stucke moved that the rules be suspended, that Senate Bill No. 115 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	Nordhougen	Thatcher

Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, Mountrail	Work
Frojen	Olson, McHenry	Young
Kamrath		

Absent and not voting:  
Greiser

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill No. 132, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 132 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nelson, McKenzie	Troxel
Drew	O'Brien	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Absent and not voting:

Greiser	Nordhogen	Thatcher
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So the bill passed and the title was agreed to.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 173, which motion prevailed.

Senator Rue moved that the rules be suspended, that Senate Bill No. 173 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting

of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Olson, Mountrail
Bilden	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Foss	Olson, Barnes	Work
Frojen	Olson, McHenry	Young

Absent and not voting:

Bridston	Nelson, Griggs-	Thatcher
Flatt	Steele	Wog
Greiser	Raschko	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Reinke moved that the Senate do concur in the House amendments to Senate Bill No. 192, which motion prevailed.

Senator Reinke moved that the rules be suspended, that Senate Bill No. 192 be considered properly re-engrossed and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Krenz	Raschko
Bilden	Leno	Reinke
Blank	Lofthus	Rue
Bond	Lynch	Schrock

Brant	Murry	Semerad
Braun	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Conrad	Nelson, McKenzie	Stucke
Dahlen	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss	Olson, Barnes	Wog
Frojen	Olson, Mountrail	Work
Kamrath	Page	Young
Kehoe	Peterson	
Those voting in the negative were:		
Feton	Olson, McHenry	
Absent and not voting:		
Bridston	Greiser	Morgan
Day		

So the bill passed and the title was agreed to.

Senator Raschko moved that the Senate refuse to concur in the House amendments to Senate Bill No. 194 and that a Conference Committee be appointed.

The President appointed as such Conference Committee Senators Raschko, Blank and Page.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 208, which motion prevailed.

Senator Rue moved that the rules be suspended, that Senate Bill No. 208 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilden	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke
Brant	Lofthus	Rue
Braun	Lynch	Schrock
Bridston	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Wog
Foss	Olson, McHenry	Work
Frojen	Olson, Mountrail	
Absent and not voting:		
Greiser	Nelson, McKenzie	Young

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 8, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Concurrent Resolution No. 8 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Blank	Krenz	Peterson
Bond	Leno	Raschko
Brant	Lofthus	Reinke
Braun	Lynch	Rue
Bridston	Morgan	Schrock
Brunsdale	Murry	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nordhougen	Stucke
Drew	O'Brien	Thatcher
Feton	Oksendahl	Troxel
Foss	Olson, Barnes	Wahlund
Frojen	Olson, McHenry	Wog
Kamrath	Olson, Mountrail	Work

Absent and not voting:

Bilden	Greiser	Young
Flatt	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 5, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 5 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilder	Kehoe	Peterson
Blank	Krenz	Raschko
Bond	Leno	Reinke

Brant	Lynch	Rue
Braun	Morgan	Schrock
Bridston	Murry	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nelson, McKenzie	Stucke
Day	O'Brien	Troxel
Drew	Nordhougen	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	
Absent and not voting:		
Greiser	Lofthus	Thatcher

So the bill passed and the title was agreed to.

Senator Brunsdale moved that Senate Resolution No. 3 be re-referred to the Judiciary Committee, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 11.  
Sneate Bill No. 13.  
Senate Bill No. 14.  
Senate Bill No. 16.  
Senate Bill No. 22.  
Senate Bill No. 25.  
Senate Bill No. 27.  
Senate Bill No. 28.  
Senate Bill No. 36.  
Senate Bill No. 115.  
Senate, Bill No. 132.  
Senate Bill No. 173.  
Senate Bill No. 192.  
Senate Bill No. 208.  
Senate Bill No. 5.  
Senate Concurrent Resolution No. 8.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the

Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party,

and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.  
MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 194 and the President has appointed as a conference committee to act with a like committee from the House, Senators Raschko, Blank and Page.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 69 and the President has appointed as a conference committee to act with a like committee from the House, Senators Rue, O'Brien and Stucke.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has refused to concur in the House amendment to Senate Bill No. 17 and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan, Stucke and Braun.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until 7:45 p.m., which motion prevailed.

The Senate reconvened at the expiration of the recess period.

The President announced that the Senate would be on the fourteenth order of business.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 4.  
House Bill No. 9.  
House Bill No. 10.  
House Bill No. 11.  
House Bill No. 12.  
House Bill No. 14.  
House Bill No. 30.  
House Bill No. 31.  
House Bill No. 38.  
House Bill No. 53.  
House Bill No. 61.  
House Bill No. 80.  
House Bill No. 85.  
House Bill No. 87.  
House Bill No. 88.  
House Bill No. 104.  
House Bill No. 117.  
House Bill No. 118.  
House Bill No. 120.  
House Bill No. 139.  
House Bill No. 142.  
House Bill No. 144.  
House Bill No. 153.  
House Bill No. 156.  
House Bill No. 159.  
House Bill No. 181.  
House Bill No. 186.  
House Bill No. 189.  
House Bill No. 201.  
House Bill No. 205.  
House Bill No. 208.  
House Bill No. 214.  
House Bill No. 215.  
House Bill No. 217.  
House Bill No. 218.  
House Bill No. 221.  
House Bill No. 269.  
House Bill No. 270.  
House Bill No. 275.  
House Concurrent Resolution "H".  
House Concurrent Resolution "M".  
House Concurrent Resolution "P".

And the President signed the same in the presence of the Senate.

## MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 62, 201 and 220.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return Senate Bills Nos. 122, 176 and 196, which are improperly Enrolled.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

**House of Representatives  
Bismarck, March 2, 1945**

Mr. President: I have the honor to return:

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway

System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Thereof Through Special Assessments Against the Property Benefited.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Which the House has passed unchanged, except emergency clause on Senate Bill No. 126 which was declared lost.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Employment to whom was referred House Concurrent Resolution "BB", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "BB" be placed upon second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT  
RESOLUTIONS

House Concurrent Resolution "BB".

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Greiser	Page
Bilden	Kamrath	Peterson
Blank	Kenoe	Raschko
Bond	Krenz	Reinke
Brant	Leno	Rue
Braun	Lofthus	Schrock
Bridston	Lynch	Semerad
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen		

Absent and not voting:

Morgan	Nelson, McKenzie	Young
Murry		

So the resolution passed and the title was agreed to.

Senator Flatt moved that the vote by which House Concurrent Resolution "BB" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that the rules be suspended and that the President appoint a Committee of One to escort Mrs. C. P. Dahl to the rostrum, which motion prevailed.

The President appointed as such Committee of One Senator Nelson of Griggs and Steele.

Senator Nelson of Griggs and Steele escorted Mrs. C. P. Dahl to the rostrum.

Senator Flatt: "You see the Governor doesn't have very much confidence in me when he has to appoint Senator Nelson to escort Mrs. Dahl to the rostrum. Whenever there is a piano to move, or a typewriter to move around this august body they always think of me; and if there is some good looking girl to fire I am elected.

"But it is a pleasure not to have to do a lot of heavy work, especially after a Third House party. Mrs. Dahl we want to give you this as a token of our appreciation and we wish you the best of luck."

Mrs. Dahl: "I hardly have words. I wasn't prepared for this, but I do want to thank you. I have enjoyed my stay in Bismarck from time to time this winter and I have also

enjoyed renewing old acquaintances and making new friends. Thank you again."

Lieutenant Governor Dahl: "It gives me great pleasure at this time and I am going to take this opportunity to express my deep appreciation to Senator Raschko in presenting me with this beautiful gavel on behalf of the stockmen of the western part of the State. This is going to be concealed in the treasure chest of my fond memories of having been associated with the Senator who is representing probably the most stable industry that this State has, namely, the stockmen of North Dakota.

"A the same time this is an occasion when it is hard to find words that are adequate to express the feeling that one has after sitting here with as fine a group of men as we have had in the Senate this winter and sitting as your presiding officer and chairman. You have all, each and every one of you, cooperated with me in the fullest degree, and I thank you."

Senator Nordhogen: "When we began work on our new day this afternoon we began our sixtieth legislative day which, when ended—and it is drawing closer to the end—will be the end of the Twenty-ninth Legislative Assembly.

"We Senators who have worked together here have become acquainted with one another. Some came in as strangers and others came in as old timers. As the new Senators come in it is not long before they become acquainted with the old, and as a family we work together. There are times, when issues were at stake, that we saw things differently, but as a family we worked it out the best possible advantage for the particular issue which may have been under discussion. As Senator Shure said a short time ago while I was talking to him, it won't be long before we will be at the parting of the way. We are drawing closer to the end of this session and it makes one think of his school days, a day such as commencement day or the final day of any school term. It is bidding goodbye to your friends.

"We in this group may never again sit in this assembly—an assembly as it is today. There are bound to be changes for some of us.

"It has been a pleasure to have had in this assembly a presiding officer such as the Honorable C. P. Dahl who has served so fearlessly as the presiding officer and president of this assembly. As the Lieutenant Governor he is fearless, he meets the issues honestly in every respect, and there is no question in our mind but that he has done a good job and we can in every way deem it a pleasure to have sat in this assembly with the Honorable C. P. Dahl, Lieutenant Governor as our president.

"Lieutenant Governor Dahl, may I present you this on behalf of the employees and Senate members of the Twenty-ninth Legislative Assembly. We hope you will find this little token, the gift from this group, as the hearts' indication that it is in every way to wish you the best of health. We hope you and Mrs. Dahl will remember this evening for many, many years to come."

Lieutenant Governor Dahl: "Thank you, Senator Nordhogen. If I could even hope to be half what Senator Nord-

hougen has painted me to this assembly to be I should feel I have done a good job. I am only going to say 'thank you'."

Senator Braun: "Senator Streibel, it gives me a great deal of pleasure and I feel highly honored to be the one chosen by this august body to address you this evening.

"I have known you for quite a few years. Back in 1933, 1935 and 1937 we sat together in Nonpartisan League conventions in the City of Bismarck. In those days when we were in contact with one another I did not get to know you as well as I do now. Since coming to the session eight years ago I have become better acquainted with you. In that time I have found you a man of honor; in your deliberations you have always been fair.

"It certainly gives me pleasure as one of this body, and representing the entire Senate to give you, this evening, a gift. I know your wife is a good cook. This is an appropriate gift and I hope you get many good meals prepared.

"Furthermore, at a meeting of the Club of the Common Man this evening, which was called by the chairman of the board, it was decided that after watching you in your deliberations you have been for the common man, so this evening I want to offer you an honorary membership in the Club of the Common Man."

Senator Streibel: "You have observed in my behavior that I have two weaknesses—when I get hot and bothered I can't talk but I'm even worse when you appeal to my sentiment.

"On an occasion of this kind, you might as well call it a farewell party, I am always in a sad mood. During the interim there is usually one or the other missing when we come back and we wish our behavior had been a little better toward him.

"Very soon we will have written the last words in the Senate Journal of 1945. A large portion of it we are not satisfied with, a still larger portion the public at large will not like. Public need have made some of them necessary, but some of them are probably just unwise. But we should not be concerned about that because it is done and past.

"I am more concerned in what manner it was written. As school children we used to come home with our reports cards, as legislators we still do. Our grades are now written in the hearts and minds of our colleagues, and I feel I have a very low grade. Usually at the end of an assembly of this nature I very much dread to face the man in the mirror and I don't like what I see. That man usually comes to me with the same accusations session after session. He says, are you the fellow who promised to be kind, generous, and courteous to your colleagues? Didn't you make a promise you were going to be fair and tolerant in your debates? And what can I say? This is what I tell him: 'I tried a little and failed much.'

"It is probably true that in many debates I would get more heated than I would like, but it is also true that, right or wrong, I was always sincere, and that is about the only excuse I have to offer. If some time or other I have in the heat of battle offended any of you I am sorry for it.

I have learned a little poem. It is entitled "Touching Shoulders" and it goes like this:

"There's a comforting thought at the close of the day,  
 When I'm weary and lonely and sad,  
 That sort of grips hold of my crusty old heart  
 And bids it be merry and glad.  
 It gets in my soul and it drives out the blues,  
 And finally thrills through and through.  
 It is just a sweet memory that chants the refrain;  
 I'm glad I touched shoulders with you!

Did you know you were brave, did you know you were strong?  
 Did you know there was one leaning hard?  
 Did you know that I waited and listened and prayed,  
 And was cheered by your simplest word?  
 Did you know that I long for that smile on your face,  
 For the sound of your voice ringing true?  
 Did you know I grew stronger and better because  
 I had merely touched shoulders with you?

I am glad that I live, that I battle and strive  
 For the place that I know I must fill;  
 I am thankful for sorrows, I'll meet with a grin  
 What fortunes may send, good or ill.  
 I may not have wealth, I may not be great,  
 But I know, I shall always be true,  
 For I have in my life that courage you gave  
 When once I rubbed shoulders with you.

Senator Bridston: "It is almost hard to believe that this is my fourth term in the Senate. When I came here first in 1939 I was immediately impressed when I met the men of the Senate and the folks in the House. I was impressed simply because I found out that a high type of citizen was willing to take off time, spend money and devote some energy to the State. I was also impressed with the fact that men learn to debate and not become personal. Men learn to argue without becoming bitter.

"Always in a group of men, a group of legislators, you find some men who are rather outstanding, and the reason they are outstanding is because they are real Americans. They understand something about what America stands for. They refuse to gloat over victory and they learn to accept defeat in good grace. Very outstanding in this respect is the Senator from Emmons County, Senator E. H. Brant, a former candidate for Governor, a man that all of us have learned to respect simply because in him we recognize that something that typifies sportsmanship, real American sportsmanship. Senator Brant has been a real inspiration to me and I am sure he has been a real inspiration to all of us simply because he is fair, he is honest and he will give and take. He has learned to remember his friends and not to condemn his enemies. He is a real man."

Senator Brant: "It is beyond me to express exactly the way I feel. I never was much of a speech maker anyway, but I have thoroughly enjoyed my work with you.

"This is not the first session I have been here but I have found that during all of our work here we have many different and divergent views. I find that I am a little different, perhaps, than some of you. I find that some show great excitement. I have found that some get up and pound the table, and others can get up several times on a question. I

very seldom do that. Perhaps it would be better if I did talk more. Perhaps it would be just a little better if I expressed what I was thinking, but the thing that strikes me is this, that we can all differ and here in America, we can all express our views and we can tell each other what we think. We can differ in the most bitter way, and I am just wondering where in all the world we can find a country like this, and we, when it is all said and done, usually arrive at a pretty good solution.

"I certainly appreciate the words spoken by Senator Bridston, and I have enjoyed my work very much the few times I have acted as chairman here, and I know that all of you members wanted to aid and assist me. I thank you."

Senator Streibel: "As I look around at this bunch of fellows I can remember what I wanted to talk about and did not mention. I guess I forgot to say 'thank you.' What I want to know is, 'How does Senator Braun know my wife is a good cook?'"

Senator Stucke: "I have a very pleasant duty. I am addressing my remarks, of course, to the audience but talking about somebody else.

"We have a man among us whom I first became acquainted with when we had our sessions down town after the Capitol fire. I am referring to none other than my very great friend, Senator Brunsdale.

"Senator Brunsdale, my friend, possesses many, many enviable attributes. He is a man of no mean ability, even though occasionally he has spoken as a semi-barrister. (For those of you who are not in the legal profession, a barrister is a lawyer.) I don't know what sort of a man he would be if he were a full fledged lawyer. I think it stands in his good stead that he is only half a one. Now at least we can get along with him. He is technical as the average lawyer would be; besides that, though, he has shown the utmost fairness. I think he is able, he is just, he is, on occasions, a man among men, unselfish to the Nth degree, and has a sense of decorum that I sometimes marvel at. I don't know the time in the many years I have known Senator Brunsdale that he has not come up smiling. I haven't seen a frown upon his forehead. There isn't a wrinkle there now.

"So I say again, it gives me great pleasure to present to you, my dear friend, Norman Brunsdale, something that is going to keep you warm. I have never seen you hot in all the years I have known you. Take this with you and when you get cold put it around you."

Senator Brunsdale: "I suppose I had better put away the law books, otherwise some of you might think I am going to give you a lecture on the Constitution.

"First of all I particularly wish to thank you, Doctor, for the kind words you have spoken. I appreciate them beyond any words I can use to express adequately what I feel, and how I feel. I can say to you as I can say to any of the members I have known in the years gone by, that as time goes on the friendships we first formed we never lose. Our opinions on matters that come up for discussion don't, after all, cause us to lose our friends. Regardless of what has been said or done in this past session, neither you nor I feel unfriendly towards each other. I can say this of

every member and I hope it can be said of me. I have tried to be fair. I have tried, as I feel you have tried, to be conscientious and to exert yourself, when needed, to the utmost of your ability to represent not only your constituents but all the people of this State.

"We have had a session in which we have attempted to solve some of the problems of the State. I suppose it will be said that the solution has not gone much beyond the temporary problems because neither you nor I know what the problems of the future are going to be. Any solution of problems in these times of turmoil and chaos is only a temporary one. But I think that you and I have endeavored honestly, in fact conscientiously, to do what we thought must be done.

"I am not given to making speeches—that is why I make very few even though I am supposed to make them in my capacity as floor leader for the majority, but I cannot cease without telling you that I appreciate the consideration that has been shown me. I was gone for ten days and when I came back I tried to catch up with what had gone on, and since that time everyone has cooperated to help me.

"I don't suppose I will be back here two years from now but I hope everyone of us will meet again some time.

"Let me again thank you for what each and everyone has done, particularly you Senator Stucke. You and I differed on many things. You and I agree that men must stand together or we will all go down, and it is a good thing in this country we can still disagree because should it ever come to a time when we cannot disagree we will no longer have a United States of America as we know it.

"Thank you, all of you."

Senator Streibel: "A more courteous, a more considerate man than Norman Brunsdale has shown himself to be to our faction, no one could hope to find. We have enjoyed working with you. You are always cool and tolerant, and that is a quality I envy. I always wished I could be like you."

Senator Day: "A man is very poor, indeed, who as he travels down the trail of life does not each evening as the sun sets look back and say, "Today I helped a man, I made a friend, I learned something worth while." One of the most important things I have learned as a Senator in the two sessions and the special session I have been here is that I have a lot to learn about men and about human nature.

"In my room the other night I was mentally looking into your faces one after another and thinking of the difference in background each of us has. The years, the experience, different types of work. One man spends years on the farm working with nature and producing, another working with the sick, another is an educator, another is a lawyer, and so on. We bring these varied experiences together to focus upon good legislation. And I looked at my own background and realized that my own experience, spending most of my time trying lawsuits where I have to fight my way to the point I wanted, and I wondered how much out of character I got in this Senate, not realizing I had no opponent across the table, but working with forty-nine men with me, not against me. I have learned that we, a group of forty-nine sincere men,

do not understand each other as well as we should. Some of us have one background and some another. Some have very thick skins and some very thin skins, but I can testify that there is not one man who will leave this assembly tonight and have animosity for another Senator. There is not one man into whose eyes I cannot look and say I have no grudge against. We may have disagreed fiercely.

"I believe that at the next session of this legislative assembly we should have meetings such as this every ten days when we look at each other, exchange gifts (more of us would get in on them) and get closer to the real fellowship that is involved in living.

"As general counsel for the club of the common man I want to extend to every Senator the right to obtain membership, not for nothing because after all it wouldn't be worth while—you get what you pay for—and I am authorized to announce that the membership is not one hundred dollars, not one thousand dollars, but five thousand dollars, because it has to be placed that high in order that most of the gentlemen in this group will approach being common men again.

Senator O'Brien reported that the Conference Committee on Senate Bill No. 69 had agreed to disagree, asked that they be discharged, and moved that the President appoint a new Conference Committee, which motion prevailed.

The President appointed as such Conference Committee Senators O'Brien, Bridston and Flatt.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Ways and Means to whom was referred House Concurrent Resolution "EE", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "EE" be placed upon second reading and final passage, which motion prevailed.

House Concurrent Resolution "EE".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Blank	Kehoe	Peterson
Bond	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Conrad	Murry	Semerad
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	O'Brien	Troxel
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work

Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	
Absent and not voting:		
Bilden	Morgan	Stucke
Brunsdale	Nelson, McKenzie	Thatcher
Greiser	Nordhougen	Wahlund

So the resolution was adopted.

Senator Conrad moved that the vote by which House Concurrent Resolution "EE" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Was read the second time.

Senator Schrock moved that the Senate adopt House Concurrent Resolution "Z", which motion prevailed.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 194 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 194, have had the same under consideration and recommend that the Senate concur with House amendments on Senate Bill No. 194.

For the Senate:  
 M. J. RASCHKO  
 FRANKLIN PAGE  
 P. W. BLANK

For the House:  
 H. W. McINNES  
 DONNELL HAUGEN  
 D. S. BLAIR

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Raschko moved that the rules be suspended, that Senate Bill No. 194 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Krenz	Raschko
Blank	Leno	Reinke
Bond	Lofthus	Rue
Brant	Lynch	Schrock
Braun	Morgan	Semerad
Brunsdale	Murry	Shure
Conrad	Nelson, Griggs-	Streibel
Dahlen	Steele	Stucke
Day	Nordhougen	Thatcher
Drew	Olson, Barnes	Troxel
Feton	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work
Frojen	Page	Young
Kamrath	Peterson	

Absent and not voting:

Beaton	Greiser	O'Brien
Bridston	Kehoe	Oksendahl
Flatt	Nelson, McKenzie	Wahlund

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return Senate Bill No. 146 which was requested by the House in error.

KENNETH L. MORGAN, Chief Clerk.

## REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 146 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 146, have had the same under consideration and recommend:

In line 11 of the original bill after the word "excede" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$4.75". Also in line 11 after the word "and" strike out the numerals "\$5.00" and insert in lieu thereof "\$5.50" and in line 12 strike out the word "maximum" and insert in lieu thereof the word "minimum". In line 16 the House recedes from its amendment which deleted the words "seed and".

For the Senate:

RILIE R. MORGAN  
C. N. BRUNSDALE  
HARRY O'BRIEN

For the House:

WILFRED COLLETTE  
ALEX DALZELL  
PALMER LEVIN

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the rules be suspended, that

Senate Bill No. 146 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beaton	Kamrath	Raschko
Bilden	Krenz	Reinke
Blank	Leno	Rue
Bond	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Murry	Shure
Brunsdale	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nordhogen	Thatcher
Day	Olson, Barnes	Troxel
Drew	Olson, McHenry	Wahlund
Feton	Olson, Mountrail	Wog
Foss	Page	Work
Frojen	Peterson	Young
Greiser		

Absent and not voting:

Bridston	Morgan	O'Brien
Flatt	Nelson, McKenzie	Oksendahl
Kehoe		

So the bill passed and the title was agreed to.

### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 228 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 228, have had the same under consideration and recommend:

In line 10 strike out the words and figures "four thousand dollars (\$4000.00)" and insert the words and figures "three thousand dollars (\$3,000.00)".

In line 15 after the word "hereof," strike out the words "20% of the free holders and farm tenants" and insert in lieu thereof the words "25% of the free holders".

In lines 22 and 23 strike out the words and figures "four thousand dollars (\$4000.00)" and insert in lieu thereof the words and figures "three thousand dollars (\$3,000.00)".

For the Senate:

G. I. FETON  
GUST WOG  
OSCAR WAHLUND

For the House:

THOMAS V. DEVLIN  
CORNELIUS BYMERS  
ANDREW HALVORSON

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Feton moved that the rules be suspended, that House Bill No. 228 be placed upon second reading and final passage as amended in Conference Committee, which motion prevailed.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 36; nays, 9; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Frojen	Raschko
Billen	Kamrath	Rue
Bond	Kehoe	Schrock
Brant	Krenz	Semerad
Braun	Leno	Shure
Bridston	Lynch	Stucke
Brunsdale	Morgan	Thatcher
Conrad	Murry	Troxel
Dahlen	Nelson, Griggs-	Wahlund
Drew	Steele	Wog
Feton	Olson, Barnes	Work
Foss	Page	Young
Greiser		

Those voting in the negative were:

Blank	Lofthus	Olson, Mountrail
Day	Nordhougen	Peterson
Flatt	Olson, McHenry	Reinke

Absent and not voting:

Nelson, McKenzie	Oksendahl	Streibel
O'Brien		

So the bill passed and the title was agreed to.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bills Nos. 9, 15, 19, 23, 24, 26, 29, 30, 31, 37, 39, 44, 49, 68, 86, 101, 178, 179, 188, 205, 128, 133, 181 and 186 were delivered to the Governor for his approval at the hour of 9:45 o'clock p. m., March 2, 1945.

W. R. BOND, Chairman.

The President called the President Pro Tem to the chair.

Senator Young moved that the Senate do concur in the House amendments to Senate Bill No. 1, which motion prevailed.

Senator Young moved that the rules be suspended, that Senate Bill No. 1 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New

Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beaton	Kamrath	Page
Bilder	Kehoe	Peterson
Blank	Krenz	Raschko
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Semerad
Conrad	Murry	Shure
Dahlen	Nelson, Griggs-	Stucke
Day	Steele	Thatcher
Drew	Nordhougen	Wahlund
Feton	Oksendahl	Wog
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen	Olson, Mountrail	

Those voting in the negative were:

Bond Troxel

Absent and not voting:

Greiser	O'Brien	Streibel
Nelson, McKenzie		

So the bill passed and the title was agreed to.

Senator Stucke: "My President: I think that some of these days we will have to segregate these institutions as far as the bills are concerned. Here we have a situation where all these institutions come under one bill. It isn't fair. It isn't workable. Things are as they are and we can't do anything about it, so I vote 'aye'."

Senator Troxel: "Mr. President: I don't think we are getting a fair deal at Minot, so I vote 'no'."

Senator Raschko moved that the Senate do concur in the House amendments to Senate Bill No. 168, which motion prevailed.

Senator Raschko moved that the rules be suspended, that Senate Bill No. 168 be considered properly re-engrossed, and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beaton	Lofthus	Raschko
Bilden	Lynch	Reinke
Blank	Morgan	Rue
Brant	Murry	Schrock
Braun	Nelson, Griggs-	Semerad
Brunsdale	Steele	Shure
Conrad	Nordhougen	Streibel
Dahlen	O'Brien	Stucke
Feton	Oksendahl	Thatcher
Foss	Olson, Barnes	Troxel
Frojen	Olson, McHenry	Wahlund
Kamrath	Olson, Mountrail	Wog
Kehoe	Page	Work'
Krenz	Peterson	Young
Leno		

Those voting in the negative were:

Drew

Absent and not voting:

Bond	Day	Greiser
Bridston	Flatt	Nelson, McKenzie

So the bill passed and the title was agreed to.

The President resumed the chair.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 203, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 203 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent nad not voting, 7.

Those voting in the affirmative were:

Beaton	Kehoe	Raschko
Bilden	Krenz	Reinke
Blank	Leno	Rue
Bond	Lofthus	Schrock
Brant	Lynch	Semerad
Braun	Morgan	Shure
Bridston	Nelson, Griggs-	Streibel
Conrad	Steele	Stucke
Dahlen	Nordhougen	Thatcher
Day	O'Brien	Troxel
Drew	Oksendahl	Wahlund
Feton	Olson, McHenry	Wog
Foss	Olson, Mountrail	Work

Frojen	Peterson	Young
Kamrath		
Absent and not voting:		
Brunsdale	Murry	Olson, Barnes
Flatt	Nelson, McKenzie	Page
Greiser		

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report to Senate Bill No. 69, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Johnson of Cass, Callahan and Lillehaugen.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House adopted the Conference Committee report on Senate Bill No. 194.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on Senate Bill No. 69, Senators O'Brien, Bridston and Flatt.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Concurrent Resolution "BB".

House Concurrent Resolution "EE".

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the Senate has adopted.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 228.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has adopted the report of the Conference Committee on Senate Bill No. 146.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 194.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of

Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of

Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota

**Dóing Business as the North Dakota Mill and Elevator Association.**

**House Bill No. 38.** A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

**House Bill No. 53.** A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

**House Bill No. 61.** A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

**House Bill No. 80.** A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

**House Bill No. 85.** A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

**House Bill No. 87.** A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

**House Bill No. 88.** A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

**House Bill No. 104.** A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

**House Bill No. 117.** A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

**House Bill No. 118.** A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the President has signed.

W. J. TROUT, Secretary.

FRIDAY, MARCH 2, 1945

1203

**MESSAGES FROM THE HOUSE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee reports on House Bills Nos. 21, 114, 228 and 48.

**KENNETH L. MORGAN, Chief Clerk.**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Which the House has passed unchanged.

**KENNETH L. MORGAN, Chief Clerk.**

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 1, 168 and 203.

**W. J. TROUT, Secretary.**

**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "AA".

Which the House has passed and your favorable consideration is requested.

**KENNETH L. MORGAN, Chief Clerk**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 75.

**KENNETH L. MORGAN, Chief Clerk.**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson of Cass, Stair and Collette.

**KENNETH L. MORGAN, Chief Clerk.**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 172 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Schnell, Bagge and Wolf of McIntosh.

**KENNETH L. MORGAN, Chief Clerk.**

The President announced the appointment as a Conference Committee on House Bill No. 1, Senators Young, Day and Stucke.

The President announced the appointment as a Conference Committee on House Bill No. 172, Senators Raschko, Wog and Streibel.

#### FIRST READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "AA".

Was read the first time.

Senator Braun moved that the rules be suspended, that House Concurrent Resolution "AA" be placed upon second reading and final passage, which motion prevailed.

House Concurrent Resolution "AA".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Beaton	Kamrath	Oksendahl
Blank	Kehoe	Olson, McHenry
Bond	Krenz	Olson, Mountrail
Brant	Leno	Page
Braun	Lynch	Peterson
Bridston	Morgan	Reinke
Dahlen	Murry	Rue
Drew	Nelson, Griggs-	Thatcher
Conrad	Steele	Troxel
Feton	Nordhougen	Wahlund
Foss	O'Brien	Work
Frojen		

Absent and not voting:

Bilden	Nelson, McKenzie	Shure
Brunsdale	Olson, Barnes	Streibel
Day	Raschko	Stucke
Flatt	Schrock	Wog
Greiser	Semerad	Young
Lofthus		

So the resolution passed and the title was agreed to.

Senator Braun moved that the vote by which House Concurrent Resolution "AA" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate do now recess at the call of the chair, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

#### MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, March 2, 1945-

Mr. President: I have the honor to return:

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the

Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk

**MESSAGES TO THE HOUSE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution "AA".

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you, that the President has appointed as a Conference Committee on House Bill No. 1, Senators Young, Day and Stucke.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 172, Senators Raschko, Wog and Streibel.

W. J. TROUT, Secretary.

**REPORT OF SELECT COMMITTEE**

The Conference Committee on Senate Bill No. 2 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the Senate concur with the House amendments to Senate Bill No. 2.

For the Senate:  
W. J. BRAUN  
M. R. YOUNG  
J. B. BRIDSTON

For the House:  
A. W. LUICK  
SLE BJELLA  
RAY SCHNELL

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Braun moved that the rules be suspended, that Senate Bill No. 2 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Bilden	Kehoe	Raschko
Blank	Krenz	Reinke
Bond	Lofthus	Rue
Brant	Murry	Schrock
Braun	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
Dahlen	O'Brien	Thatcher
Day	Olson, Barnes	Troxel
Drew	Olson, Mountrail	Wahlund
Feton	Page	Young

Absent and not voting:

Bridston	Leno	Olson, McHenry
Conrad	Lynch	Semerad
Flatt	Morgan	Stucke
Foss	Nelson, McKenzie	Wog
Greiser	Nordhogen	Work
Kamrath	Oksendahl	

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 2.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 69 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 69, have had the same under consideration and recommend:

That the House recede from its amendments and the following amendments be made:

In line 5 of the title of the bill strike out the figures "\$150,000" and insert in lieu thereof the figures "\$125,000". In line 6 of the title strike out the figures "\$15,000" and insert in lieu thereof the figures "10,000".

In line 48 of the bill strike out the figures "150,000" and insert in lieu thereof the figures "\$125,000".

In line 51 of the bill strike out the figures "15,000" and insert in lieu thereof the figures "\$10,000".

For the Senate:

HARRY O'BRIEN  
J. L. FLATT  
J. B. BRIDSTON

For the House:

JOHNSON  
L. E. CALLAHAN  
M. T. LILLEHAUGEN

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Senator O'Brien moved that the rules be suspended, that Senate Bill No. 69 be considered properly re-engrossed, and

placed upon second reading and final passage as amended in Conference Committee, which motion prevailed.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Kehoe	Page
Bilden	Krenz	Peterson
Blank	Leno	Raschko
Bond	Lofthus	Reinke
Brant	Lynch	Rue
Braun	Murry	Schrock
Brunsdale	Nelson, Griggs-	Shure
Conrad	Steele	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, Mountrail	Young
Frojen		

Absent and not voting:

Bridston	Morgan	Semerad
Foss	Nelson, McKenzie	Wog
Greiser	Olson, McHenry	Work
Kamrath		

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 69.

W. J. TROUT, Secretary.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution No. 16.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 5.

Senate Bill No. 6.

Senate Bill No. 120.

Senate Bill No. 209.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "CC".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

Senator Brant: "It is customary, and I believe according to our Constitution, that at the beginning and ending of every regular session of this body we select a President Pro Tem of the Senate. It has been my pleasure in a small way to have served as President Pro Tem this session. At this time I have in mind one of the members who has been in this body for a number of years. He probably is one of the oldest members who has not yet received the honor of acting in this capacity, and I have in mind a member of what we term the minority group, a man who has given us good service, he is tolerant, and I am happy and I take great pleasure in placing the nomination for the place of President Pro Tem Interim the name of our Senator from McLean County, Senator Stucke."

Senator Bridston: "It gives me great pleasure to second that nomination, even though I happen to be a member of the other faction of the Republican Party. I consider Senator Stucke one of my best personal friends. I have great admiration for him. He has served North Dakota well and faithfully. It is a recognition that is due him."

Senator Streibel: "I, too, am happy to second the nomi-

nation. It appears that finally everything comes to him who waits, if he waits long enough."

Senator Morgan: "I think Senator Stucke is one of the leading statesmen of the North Dakota Senate and it is a pleasure to second his nomination."

Senator Young: "I also would like to second the nomination of Senator Stucke. Sometimes he has taken me pretty hard but I have learned to like it."

Senator O'Brien: "On behalf of the Democrats I would like to second this nomination. If you will consult the records you will note I voted for Senator Stucke at the beginning of the Session. There was nothing personal in that except that I have known Dr. Stucke longer than I have Senator Brant and I consider him a very fine friend. I am happy on behalf of the Democratic minority to second that nomination."

Senator Conrad: "As a new member of this legislative body and having contacted and sat in with Senator Stucke these past sixty days, Cass County wants to second that nomination."

Senator Brunsdale: "I, too, wish to second the nomination of Dr. Stucke. He is a man I have known for many years. Recently he told you what he thought of me and I tried to tell you what I thought of him. I am very pleased to second the nomination of Dr. Stucke."

Senator Rue: "I can't help but add my second to my good friend Dr. Stucke. I knew Doc long before I ever thought anything about politics or before Doc was a member of the Senate. It so happened when we took our first State contract some twenty years ago west of Garrison, evening after evening we had some fine chats and conversations with Dr. Stucke. I am certainly pleased to second his nomination."

Senator Troxel: "Ward County would like to second the nomination. If Dr. Stucke lived across the line in Ward County we couldn't back a better man."

The question being on the nomination of Senator Stucke as President Pro Tem for the Interim, which motion carried unanimously, by acclamation.

Senator Stucke: "How should I react to all the plaudits of my colleagues. I am aware of my shortcomings. I myself am not to judge all of my good qualities, if I have any. I want to assure you members of the Senate that I am highly pleased and honored to be chosen as your President Pro tem for the interim. Let nothing be said of my holding unconventional ideas, also holding, oh, I'll say, a certain type of philosophy. Things are often inbred. I can hold no other opinions than I hold. I was not born with a silver spoon in my mouth, I am from ordinary parents. Early in my career I had lots of time for sober reflection. I saw the weakness of our social and economic structure and I thereupon resolved that I would use my feeble efforts to rectify, inasmuch as I was able, the injustices that I saw about me. For that reason I embarked on a more or less political career, if you call it that. I have no other aspirations than to be right where I am. With that I hope you understand me. I want to thank you most sincerely from the bottom of my heart for what you have done for me today. I can likewise assure you

that though we may differ I can always shake your hand and say 'Bill, or Fred, or Norman, how are you,'. Thank you very much."

Senator Morgan moved that a Committee of Three, consisting of Senators Rue, Stucke and Brunsdale be appointed to work with a like Committee from the House to arrange for Joint Memorial Session in honor of the late Senator John Moses and that this committee prepare suitable Resolutions, which motion prevailed.

The President appointed such Committee, consisting of Senators Rue, Stucke and Brunsdale.

Senator Morgan moved that a Committee of Seven, consisting of Senators Drew of Ramsey County, O'Brien of Walsh County, Young of LaMoure County, Rue of Burleigh County, Blank of Morton County, Bridston of Grand Forks County, and Stucke of McLean County, be appointed to represent the Senate of the State of North Dakota at the funeral of the late Senator John Moses, which motion prevailed.

The President appointed such Committee, consisting of Senators Drew, O'Brien, Young, Rue, Blank, Bridston and Stucke.

Senator Flatt moved that House Resolution No. 3 be printed in the Senate Journal, after which it be filed with the Secretary of the Senate, which motion prevailed.

### HOUSE RESOLUTION NO. 3

Introduced by Representatives Johnson of Cass, Bymers, Callahan and Bagge

Resolution of Impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

#### BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA:

1 Whereas, it appears from the report filed with  
 2 the Legislature by the Interim Investigating Committee  
 3 pursuant to Chapter 29 of the Special Session Laws of  
 4 1944, which report includes the testimony taken and the  
 5 exhibits received and made a part of the record by such  
 6 Committee in the course of its investigation, all of which  
 7 is now before the House, that there is probable cause to  
 8 believe that Oscar E. Erickson, Commissioner of In-  
 8a surance  
 9 of the State of North Dakota, is guilty of impeachable  
 10 offenses; and that the said Oscar E. Erickson, Commis-  
 10a sioner  
 11 of Insurance of the State of North Dakota, should be  
 12 impeached and required to stand trial for said offenses  
 13 in accordance with the Constitution and laws relating to  
 14 and governing the impeachment of state officers;  
 15 NOW, THEREFORE, BE IT RESOLVED: That  
 15a Oscar E.  
 16 Erickson, Commissioner of Insurance of the State of  
 17 North Dakota, be and hereby is impeached of crimes,  
 17a corrupt  
 18 conduct, malfeasance and misdemeanors in office; and,  
 19 BE IT FURTHER RESOLVED, that a Board of  
 19a Managers,  
 20 consisting of five members of the House, be appointed by

21 the Speaker, to prepare and submit to the House for ap-  
 22 proval, appropriate articles of impeachment and, in the  
 23 event such articles of impeachment are approved, to  
 24 present them to the Bar of the Senate of the State of  
 24a North  
 25 Dakota for trial; to prosecute such impeachment pro-  
 25a ceedings  
 26 in accordance with law; and, to that end, the Board of  
 27 Managers shall be authorized to employ counsel and other  
 28 assistance to aid in the preparation for and in the  
 29 prosecution of such impeachment proceedings; and to do  
 30 such other acts and things reasonably necessary to the  
 31 proper performance of its duties in the premises.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 211, which motion prevailed.

Senator Day moved that the rules be suspended, that Senate Bill No. 211 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House,, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Blank	Kehoe	Reinke
Bond	Krenz	Rue
Brant	Leno	Schrock
Braun	Lofthus	Semerad
Bridston	Lynch	Shure
Conrad	Morgan	Streibel
Dahlen	Nordhougen	Stucke
Day	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, McHenry	Wahlund
Flatt	Olson, Mountrail	Work
Foss	Page	Young

Absent and not voting:

Bilden	Murry	Olson, Barnes
Brunsdale	Nelson, Griggs-	Raschko
Greiser	Steele	Wog
Kamrath	Nelson, McKenzie	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the Senate do concur in the House amendments to Senate Bill No. 212, which motion prevailed.

Senator Brunsdale moved that the rules be suspended, that Senate Bill No. 212 be considered properly re-engrossed, and placed upon second reading and final passage as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beaton	Frojen	Peterson
Blank	Kamrath	Raschko
Bond	Kehoe	Reinke
Brant	Krenz	Rue
Braun	Leno	Schrock
Bridston	Lofthus	Semerad
Brunsdale	Lynch	Shure
Conrad	Nordhougen	Streibel
Dahlen	O'Brien	Thatcher
Drew	Oksendahl	Troxel
Feton	Olson, Barnes	Wahlund
Flatt	Olson, McHenry	Work
Foss	Olson, Mountrail	

Absent and not voting:

Bilden	Murry	Page
Day	Nelson, Griggs-	Stucke
Greiser	Steele	Wog
Morgan	Nelson, McKenzie	Young

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The President announced that the Senate would be on the seventh order of business.

#### FIRST READING OF SENATE RESOLUTIONS

Senator Kehoe introduced:

Senate Resolution No. 4.

Senator Kehoe moved that the rules be suspended, that Senate Resolution No. 4 be placed upon second reading and final passage, which motion prevailed.

Senate Resolution No. 4.

Was read the second time.

Senator Kehoe moved that the Senate adopt Senate Resolution No. 4, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTIONS

The Joint Committee on Employment introduced:

House Concurrent Resolution "CC".

Was read the first time.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution No. "CC" be placed upon second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "CC".

Was read the second time.

### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Beaton	Frojen	Olson, McHenry
Bilden	Kamrath	Olson, Mountrail
Blank	Kehoe	Page
Bond	Krenz	Peterson
Brant	Leno	Reinke
Braun	Lofthus	Rue
Brunsdale	Lynch	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Streibel
Drew	Nordhougen	Thatcher
Feton	O'Brien	Troxel
Flatt	Oksendahl	Wahlund
Foss		

Absent and not voting:

Bridston	Nelson, McKenzie	Stucke
Day	Olson, Barnes	Wog
Greiser	Raschko	Work
Morgan	Shore	Young
Murry		

So the resolution passed and the title was agreed to.

Senator Flatt moved that the vote by which House Concurrent Resolution "CC" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "CC".

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 212.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 211.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Which the House returns to the Senate without action. The House has refused to concur in the Senate amendments.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Senate return House Bill No. 29 to the House with a request that a Conference Committee be appointed.

The President announced that the Senate would be on the fourteenth order of business.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 283.

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

With the request that the House appoint a Conference Committee.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Which the Senate has amended.

W. J. TROUT, Secretary.

FRIDAY, MARCH 2, 1945

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**MESSAGE FROM THE HOUSE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 147.

**KENNETH L. MORGAN, Chief Clerk.**

Senator Kehoe moved that the House be requested to return House Concurrent Resolution "EE", which motion prevailed.

**MESSAGE TO THE HOUSE**

Senate Chamber,  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Concurrent Resolution "EE".

**W. J. TROUT, Secretary.**  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 17 to act with a like committee from the Senate, Reps. Sailer, Symington and Sticka.

**KENNETH L. MORGAN, Chief Clerk.**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on House Bill No. 29 with a like committee from the Senate, Reps. Johnson of Cass, Graham and Saumur.

**KENNETH L. MORGAN, Chief Clerk.**

**MESSAGE FROM THE HOUSE**

**MR. PRESIDENT AND THE MEMBERS OF THE SENATE:**

The Board of Managers selected by the House of Representatives for the purpose of conducting impeachment proceedings against Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, submits herewith Articles of Impeachment.

**A. C. JOHNSON**  
**CORNELIUS BYMERS**  
**L. E. CALLAHAN**  
**EDWIN L. BAGGE**  
**MANFRED R. OHNSTAD**  
Board of Managers

**ARTICLES OF IMPEACHMENT AGAINST OSCAR E. ERICKSON, COMMISSIONER OF INSURANCE OF THE STATE OF NORTH DAKOTA.**

**THE STATE OF NORTH DAKOTA TO OSCAR E. ERICKSON, GREETINGS:**

Comes now the House of Representatives of the State of North Dakota, and in the name and by the authority of the State and all the people thereof, hereby present to the State of North Dakota, the following Articles of Impeachment against the Honorable Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

## ARTICLES OF IMPEACHMENT.

Articles exhibited by the House of Representatives of the Twenty-ninth Legislative Assembly of the State of North Dakota in its name and in the name of all the people of the State of North Dakota, against Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, in maintenance and support of its impeachment against him for crimes, corrupt conduct and malfeasance and misdemeanors in office.

## CHARGE I.

That the said Oscar E. Erickson is now and has been continuously since on or about the 1st day of January, 1937, the duly elected, qualified and-acting Commissioner of Insurance of the State of North Dakota; that the said Oscar E. Erickson has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars:

Specification 1. That between the 17th day of May, 1943, and December 30th, 1943, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, being then and there an officer charged with the collection, safe-keeping and disbursement of certain public moneys, to-wit: the moneys of the Hail Insurance Department of the State of North Dakota, did, wilfully, unlawfully and knowingly, advise, aid and participate in the appropriation and conversion to the use of R. N. Crawford & Co., Inc., a corporation, for the use and benefit of the said R. N. Crawford & Co., Inc., Llóyds of London, an insurance association, and other persons unknown, the sum of \$124,992.23 of said public moneys, such moneys being then and there the moneys of the Hail Insurance Department of the State of North Dakota. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That on or about the 17th day of May, 1943, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, being then and there an officer charged with the collection, safe-keeping and disbursement of certain public moneys, to-wit, the moneys of the Hail Insurance Department of the State of North Dakota, did wilfully, unlawfully and knowingly advise, aid and participate in the appropriation and conversion to the use of R. N. Crawford & Co., Inc., a corporation, for the use and benefit of the said R. N. Crawford & Co., Inc., and other persons unknown, the sum of \$8500.00 of said public moneys, such moneys being then and there the moneys of the Hail Insurance Department of the State of North Dakota. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

## CHARGE II.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and

malfeasance and misdemeanors in office, in the following particulars, to-wit:

Specification 1. That between the 4th day of June, 1940, and the 7th day of June, 1940, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts in behalf of the State Fire and Tornado Fund, with the Pennsylvania Fire Insurance Company of New York and the Commonwealth Insurance Company of New York, through one H. F. Morris, State Agent for said insurance companies, the Murphy Insurance Agency and one H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, said re-insurance contracts were made and entered into, at a premium cost of \$10,081.73, of which amount, the sum of \$2520.44, representing commissions on said re-insurance transactions, was received by the said Murphy Insurance Agency, and that \$2500.00 thereof, was, between June 5th, 1940, and June 10th, 1940, paid by the said Murphy Insurance Agency to the said H. T. Murphy, and by him paid to one O. R. Vold for the joint use and benefit of the said Oscar E. Erickson and O. R. Vold; that said moneys were then and there, with the knowledge and consent of the said Oscar E. Erickson, used by the said O. R. Vold to purchase the New Capitol Cafe, a private business enterprise located in Bismarck, North Dakota, for the joint use and ownership of the said Oscar E. Erickson and O. R. Vold; and that the said Oscar E. Erickson did then and there wilfully, unlawfully, knowingly and corruptly accept, receive and retain an interest or share in the said New Capitol Cafe, equal to a one-half interest therein, together with profits accruing thereon. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That between June 10th, 1940, and October 31st, 1942, and at divers times between said dates, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in and aid and abet in the negotiation for and the making of a group of reinsurance contracts in behalf of the State Fire and Tornado Fund, with various insurance companies, including the Saint Paul Fire & Marine Insurance Company, Hartford Insurance Company, Aetna Insurance Company, The Liverpool, London and Globe Insurance Company, and other insurance companies, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency, Inc., of Bismarck, North Dakota, or H. T. Murphy, its Manager, and other employees thereof, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, such re-insurance contracts were made at a premium cost of approximately \$13,200.00, of which

amount, the sum of approximately \$3300.00, representing commissions on said re-insurance transactions, was received from time to time, and in varying amounts, by the said H. T. Murphy, and that said amounts were by him paid to the said Oscar E. Erickson and O. R. Vold, for investment in the said New Capitol Cafe, for the mutual benefit and use of the said Oscar E. Erickson and O. R. Vold, as joint owners thereof; that the said Oscar E. Erickson did, knowingly, unlawfully and corruptly accept, receive and retain a share of the value of such investments so made in the New Capitol Cafe, together with the profits accruing thereon. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 3. That during the months of July and August, 1941, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and in the making of a group of re-insurance contracts with the Saint Paul Fire and Marine Insurance Company and The Mercury Insurance Company, both of St. Paul, Minnesota, in behalf of the State Fire and Tornado Fund, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made and completed at a premium cost of \$34,033.52, of which amount, the sum of \$2500.00, representing a portion of commissions of such re-insurance transactions, was paid to and received by the said H. T. Murphy, who paid the whole thereof to the said Oscar E. Erickson; and that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the said sum of \$2500.00 for his individual benefit; that on or about August 2nd, 1941, the said H. T. Murphy paid to the said Oscar E. Erickson the sum of \$1000.00, as an advance upon additional commissions due from said insurance companies on said re-insurance transactions; and that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain said sum of \$1000.00 for his individual benefit. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 4. That during the months of July and August, 1941, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts with the Saint Paul Fire and Marine Insurance Company and The Mercury Insurance Company, both of St. Paul, Minnesota, being the same contracts

described in Specification 3 hereof, on behalf of the State Fire and Tornado Fund, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, such re-insurance contracts were made completed at a premium cost of \$34,033.52, of which amount, the sum of \$2500.00, representing a portion of the commissions on such re-insurance transactions, was paid to and received by the said H. T. Murphy; that between August 24th and October 22nd, 1941, one W. R. Koch, an employee of the said Murphy Insurance Agency, paid to the said Oscar E. Erickson the sum of \$1500.00, as an advance on additional commissions due from said insurance companies on said re-insurance transactions; that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the sum of \$1500.00 for his individual benefit; that on or about October 22nd, 1941, \$3500.00 of said commissions was received by the said W. R. Koch from said insurance companies, who thereupon paid \$2000.00 thereof to the said Oscar E. Erickson, and the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain said sum of \$2000.00 for his individual benefit. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 5. That between July 14th, 1939, and October 18th, 1940, and at divers times between said dates, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with various insurance companies, including the Saint Paul Fire and Marine Insurance Company, Hartford Insurance Company, Aetna Insurance Company, The Liverpool, London and Globe Insurance Company, and other insurance companies; that said re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, its Manager, and other employees thereof, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, such re-insurance contracts were made at a premium cost of approximately \$15,000.00, of which amount, the sum of approximately \$3800.00 representing commissions on said re-insurance transactions, was received from time to time, and in varying amounts, by the said H. T. Murphy, or other employees of the Murphy Insurance Agency, and by him or them paid to the Oscar E. Erickson and O. R. Vold, for the sole use and benefit of the said Oscar E. Erickson; that the said Oscar E. Erickson did, knowingly, unlawfully and corruptly accept, receive and retain said moneys for his individual benefit. This contrary to the official duty of the said

Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of North Dakota.

### CHARGE III.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars, to-wit:

- Specification 1. That between May 1st, 1937, and December 31st, 1938, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did enter into a corrupt, collusive and fraudulent agreement and plan with one O. R. Vold and one L. M. Peet, and other unknown persons, being officers and agents of the Western Fire Insurance Company of Fort Scott, Kansas, Western Casualty and Surety Company of Fort Scott, Kansas, and The Kansas City Insurance Agency of Kansas City, Missouri, whereby it was understood and agreed that in consideration of the negotiation of certain re-insurance contracts with the said insurance companies on behalf of the State Fire and Tornado Fund and The State Bonding Fund, all commissions on such insurance and re-insurance contracts were to be paid to the said Kansas City Insurance Agency of Kansas City, Missouri, and by it paid to the said L. M. Peet, to be by him used for the purchase of a controlling interest in the Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of the said Oscar E. Erickson and the said L. M. Peet, and for the benefit of the said O. R. Vold; that in furtherance of such corrupt, collusive and fraudulent purpose and plan, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of the following insurance and re-insurance contracts, to-wit: (1) That between August 1st, 1937, and July 30th, 1942, and at divers times between said dates, the said Oscar E. Erickson, did participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund with the Western Fire Insurance Company of Fort Scott, Kansas, at a total premium cost of \$64,015.91, of which amount, the sum of \$22,405.56, representing so-called commissions thereon, was paid to the said Kansas City Insurance Agency of Kansas City, Missouri; that said commissions in the amount of \$22,405.56 were distributed by the said Kansas City Insurance Agency, from time to time, as received by it, to the said L. M. Peet, and that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to purchase stock in the Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of himself and the said Oscar E. Erickson; (2) that between May 1st, 1937, and May 15th, 1943, and at divers times between said dates, the said Oscar E. Erickson did participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts on behalf of the State Bonding Fund, with the said Western Casualty and Surety Company of Fort Scott, Kansas, at a total premium cost of \$50,909.60, of which

amount, the sum of \$11,705.53, representing so-called commissions thereon, was paid to the said Kansas City Insurance Agency; that said so-called commissions, in the amount of \$11,705.53 were distributed by the said Kansas City Insurance Agency, as received by it, to the said L. M. Peet, and that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to purchase stock in the said Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of himself and the said Oscar E. Erickson; that the said Oscar E. Erickson, did, wilfully, unlawfully, knowingly and corruptly accept, receive and retain an interest in the stock of the said Farmers Union Life Insurance Company of Des Moines, Iowa, so purchased in his behalf by the said L. M. Peet. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That between December 1st, 1940, and December 31st, 1940, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with the Western Fire Insurance Company of Fort Scott, Kansas, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made at a total premium cost of \$2871.91, of which amount, the sum of \$1005.17, representing commissions on said re-insurance transactions, were paid by the said Western Fire Insurance Company of Fort Scott, Kansas, to the Kansas City Insurance Agency of Kansas City, Missouri, and that said commissions were, by it, paid to one L. M. Peet, for the use and benefit of the said Oscar E. Erickson; that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to pay an installment due the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, upon a certain contract involving the sale to the said Oscar E. Erickson of a certain tract of land, known as the Erickson farm, located in Chipewewa County, Wisconsin; that the said Oscar E. Erickson, did, then and there wilfully, unlawfully and corruptly accept, receive and retain the benefits of said payments so made for his account upon said farm purchase contract. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such case made and provided, and against the peace and dignity of the State of North Dakota.

#### CHARGE IV.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars, to-wit:

Specification 1. That during the months of June, July and

August, 1939, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, and in cooperation with one O. R. Vold, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with the Providence Washington Insurance Company and the London & Lancashire Insurance Company, through one J. C. Blaisdell, Sr., an insurance agent at Minot, North Dakota, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made at a total premium cost of \$7262.95, of which amount, the sum of \$1815.75, representing commissions on said re-insurance contracts, was received by the said J. C. Blaisdell, Sr., and that the sum of approximately \$1200.00 was by him paid to the Blaisdel Motor Company of Minot, North Dakota, with the knowledge and consent of the said Oscar E. Erickson, as and for a part of the purchase price of two certain automobiles, to-wit: a Chrysler Sedan and a Plymouth Sedan, then and there purchased from the said Blaisdell Motor Company by the said Oscar E. Erickson and O. R. Vold, respectively; and that said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the benefits of the said payments so made for his account on said automobile purchases. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

The House of Representatives, reserving to itself the right at any time hereafter to present further Articles of Impeachment against the said Oscar E. Erickson, and the right of amending and correcting these Articles of Impeachment, and of submitting proof in support of the same, and to all and every article and specification therein contained, do hereby demand that the said Oscar E. Erickson be required to answer the charges of crimes, corrupt conduct and malfeasance and misdemeanors in office herein charged against him, and that such proceedings and trials be had and such judgments rendered as may be agreeable to law and justice.

The foregoing Articles of Impeachment were approved and adopted by the House of Representatives of North Dakota this 3rd day of March, 1945.

**ATTEST:**

**KENNETH L. MORGAN**  
Chief Clerk, House of  
Representatives.

**A. R. BERGESEN**  
Speaker of the House of  
Representatives.

The President announced the appointment of Senators Brant, Shure and Stucke as a Conference Committee on House Bill No. 29.

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

President has appointed as a Conference Committee, on House Bill No. 29, Senators Brant, Shure and Stucke.

W. J. TROUT, Secretary.

Senator Young moved that the House be requested to return House Bill No. 234, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Resolution No. 2, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines one and 2 of the original resolution and the word "to" on line 3 and insert in lieu thereof the following: "That the Committee on Judiciary of the Senate of the 29th Legislative Assembly."

In line 3 of the original bill strike out the word "adjournment" and insert in lieu thereof the word "recess".

And when so amended recommend the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the rules be suspended, that Senate Resolution No. 2 be placed upon second reading and final passage, as amended, which motion prevailed.

Senate Resolution No. 2.

Was read the second time.

Senator Brunsdale moved that the Senate adopt Senate Resolution No. 2, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 234.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing

the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE HOUSE

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report to Senate Bill No. 2.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Resolution No. 3, have had the same under consideration and recommend that the same do pass.

J. J. KEHOE, Chairman.

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young requested that the Senate be on the eighth order of business, which request was granted.

Senator Young moved that the Senate reconsider the action by which House Bill No. 234 was passed, which motion prevailed.

Senator Young moved that House Bill No. 234 be placed on the calendar, which motion prevailed.

Senator Young moved that House Bill No. 234 be amended as follows: After the previous amendments re-number the sections and lines accordingly, which motion prevailed.

Senator Young moved that the rules be suspended, that House Bill No. 234 be placed upon second reading and final passage as amended, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as

amended, after re-consideration, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Blank	Kamrath	Peterson
Bond	Krenz	Raschko
Braun	Leno	Reinke
Bridston	Lofthus	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Streibel
Day	Nordhougen	Thatcher
Drew	O'Brien	Troxel
Feton	Oksendahl	Wahlund
Flatt	Olson, Barnes	Work
Foss	Olson, McHenry	Young
Frojen		

Absent and not voting:

Beaton	Lynch	Page
Bilden	Murry	Shure
Brant	Nelson, McKenzie	Stucke
Greiser	Olson, Mountrail	Wog
Kehoe		

So the bill passed and the title was agreed to.

Senator Flatt moved that the vote by which House Bill No. 234 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senatè Bill No. 17, have had the same under consideration and recommend:

That the House recede from its amendment to line 3 of the engrossed bill. That the House recede from its amendment to line 11 of the engrossed bill. That the House recede from its amendments to line 17 of the engrossed bill and that the Senate accept all other House amendments.

For the Senate:

RILIE R. MORGAN  
W. J. BRAUN  
E. C. STUCKE

For the House:

E. G. SAILER  
EARL D. SYMINGTON  
LEO STUCKA

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 17 be considered properly re-engrossed, and placed upon second reading and final passage as amended in Conference Committee, which motion prevailed.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended by the Conference Committee, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Blank	Kehoe	Raschko
Bond	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lofthus	Schrock
Brunsdale	Morgan	Semerad
Conrad	Nelson, Griggs-	Shure
Dahlen	Steele	Streibel
Day	Nordhogen	Stucke
Drew	O'Brief	Thatcher
Feton	Oksendahl	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Olson, McHenry	Work
Frojen	Peterson	Young
Kamrath		

Absent and not voting:

Beaton	Lynch	Olson, Mountrail
Bilden	Murry	Page
Brant	Nelson, McKenzie	Wog
Greiser		

So the bill passed and the title was agreed to.

Senator Raschko moved that the vote by which Senate Bill No. 17 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 1 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 1, have had the same under consideration and recommends the adoption of the Senate amendments with the following exceptions:

Line 67—Strike out the figures "12,840.00" and insert in lieu thereof the figures "13,440.00".

Line 69—Strike out the figures "3,500.00" and insert in lieu thereof the figures "4,000.00".

Line 73—Strike out the figures "\$29,440.00" and insert in lieu thereof the figures "\$31,140.00".

Line 115—Strike out the figures "\$49,790.00" and insert in lieu thereof the figures "\$54,250.00".

Line 156—Strike out the figures "3,000.00" and insert in lieu thereof the figures "\$5,000.000".

Line 157 (numbered 158 in the Senate Amendment)—Strike out the figures "\$58,964.00" and insert in lieu thereof the figures "\$60,964.00".

Line 272—The Senate recedes from their amendment in its entirety.

Line 275—Strike out the figures "\$123,636.00" and insert in lieu thereof the figures "\$132,236.00".

The Senate recedes from their amendments in the following lines:

Lines 339, 340, 342, and 344. Also lines 353 and 361.

Line 462—Strike out the figures "\$2,365,007.00" and insert in lieu thereof the figures "\$2,416,677.00".

For the Senate:

M. R. YOUNG  
E. C. STUCKE  
CARROLL E. DAY.

For the House:

A. C. JOHNSON of Cass  
WILFRED COLLETTE  
ARLAN STAIR.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Young moved that the rules be suspended, that House Bill No. 1 be placed upon second reading and final passage as amended in Conference Committee, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Blank	Frojen	Olson, McHenry
Bond	Kamrath	Peterson
Brant	Kehoe	Raschko
Braun	Krenz	Reinke
Bridston	Leno	Rue
Brunsdale	Lofthus	Schrock
Conrad	Morgan	Semerad
Dahlen	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Drew	Nordhougen	Wahlund
Feton	O'Brien	Work
Flatt	Oksendahl	Young
Foss	Olson, Barnes	

Absent and not voting:

Beaton	Murry	Shure
Bilden	Nelson, McKenzie	Thatcher
Greiser	Olson, Mountrail	Troxel
Lynch	Page	Wog

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 29 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and have been unable to agree, and ask to be discharged and a new committee appointed.

For the Senate:  
E. C. STUCKE  
E. H. BRANT  
W. H. SHURE.

For the House:  
L. E. CALLAHAN  
GEORGE SAUMUR  
F. J. GRAHAM.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced the appointment of Senators Young, Streibel and Conrad as a Conference Committee on House Bill No. 29.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Young, Streibel and Conrad.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 1.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 17.

W. J. TROUT, Secretary.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fix-

ing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Concurrent Resolution "EE".

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 121.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the

House has adopted the Conference Committee report on House Bill No. 1.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report to Senate Bills No. 69-146.

KENNETH L. MORGAN, Chief Clerk.

Senator Kehoe moved that the Senate reconsider the action by which House Concurrent Resolution "EE" was passed, which motion prevailed.

Senator Kehoe moved that House Concurrent Resolution "EE" be placed on the calendar, which motion prevailed.

Senator Kehoe moved that House Concurrent Resolution "EE" be amended as follows: After line 24 of the Resolution add a new paragraph as follows: "Be It Further Resolved that at the close of this day's session, the Senate shall take a recess until the 22nd day of May, 1945, on which date the Senate shall reconvene at one o'clock in the afternoon for the purpose of conducting such impeachment trial of said Oscar E. Erickson," which motion prevailed.

Senator Kehoe moved that the rules be suspended, that House Concurrent Resolution "EE" be placed upon second reading and final passage as amended, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "EE".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Blank	Kehoe	Peterson
Brant	Krenz	Raschko
Braun	Leno	Reinke
Brunsdale	Lofthus	Rue
Conrad	Morgan	Schrock
Dahlen	Nelson, Griggs-	Shure
Day	Steele	Streibel
Drew	Nordhougen	Stucke
Flatt	O'Brien	Wahlund
Frojen	Oksendahl	Work
Greiser	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Beaton	Foss	Page
Bilden	Lynch	Semerad
Bond	Murry	Thatcher
Bridston	Nelson, McKenzie	Troxel
Feton	Olson, Mountrail	Wog

So the Resolution passed and the title was agreed to.

Senator Conrad moved that the vote by which House Concurrent Resolution "EE" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kehoe moved that Senate Resolution No. 3 be placed on the Calendar, which motion prevailed.

### SECOND READING OF SENATE RESOLUTIONS

Senate Resolution No. 3.

Was read the second time.

Senator Kehoe moved that Senate Resolution No. 3 be amended as follows: Strike out lines 11 to 15, inclusive, which motion prevailed.

Senator Kehoe moved that the rules be suspended, that Senate Resolution No. 3 be considered properly re-engrossed, and placed upon second reading and final passage as amended, which motion prevailed.

### ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 30; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Brant	Krenz	Olson, McHenry
Braun	Leno	Page
Bridston	Lofthus	Peterson
Brunsdale	Morgan	Raschko
Conrad	Nelson, Griggs-	Reinke
Dahlen	Steele	Schrock
Day	Nordhougen	Streibel
Drew	O'Brien	Stucke
Frojen	Oksendahl	Wahlund
Kamrath	Olson, Barnes	Work
Kehoe		

Absent and not voting:

Beaton	Greiser	Semerad
Bilden	Lynch	Shure
Blank	Murry	Thatcher
Bond	Nelson, McKenzie	Troxel
Feton	Olson, Mountrail	Wog
Flatt	Rue	Young
Foss		

So the resolution passed and the title was agreed to.

Senator Kehoe moved that the vote by which Senate Resolution No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Which the House has passed unchanged.

. KENNETH L. MORGAN, Chief Clerk.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 172.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "EE".

Which the Senate has amended.

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 13.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 172 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 172, have had the same under consideration and recommend that the House do concur with the Senate amendment.

For the Senate:

GUST WOG

R. M. STREIBEL

M. J. RASCHKO

For the House:

RAY SCHNELL

EDWIN L. BAGGE

BEN J. WOLF

Senator Raschko moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale requested a call of the Senate, which request was granted.

The roll call disclosed the following Senators absent: Senators Beaton, Bilden, Bond, Fetton, Flatt, Foss, Murry, Nelson of Griggs-Steele, Nelson of McKenzie, Olson of Mountrail, Raschko, Semerad, Troxel and Wog.

Senator Streibel moved that the call of the Senate be dispensed with, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 16.

Senate Bill No. 190.

Senate Bill No. 3.  
 Senate Bill No. 175.  
 Senate Bill No. 142.  
 Senate Bill No. 140.  
 Senate Bill No. 59.  
 Senate Bill No. 27.  
 Senate Bill No. 22.  
 Senate Bill No. 25.  
 Senate Bill No. 28.  
 Senate Bill No. 53.  
 Senate Bill No. 94.  
 Senate Bill No. 127.  
 Senate Bill No. 145.  
 Senate Bill No. 155.  
 Senate Bill No. 109.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 172.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 122.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed a new conference committee to act on House Bill 29 with a like committee from the Senate, Representatives Symington, Storman and Heckman.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 258 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Devlin, Smart and Bolmeier.

KENNETH L. MORGAN, Chief Clerk.

Senator Morgan moved that the President appoint a Conference Committee on House Bill No. 258, which motion prevailed.

The President appointed as such Conference Committee Senators Flatt, Reinke and Krenz.

FRIDAY, MARCH 2, 1945

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MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill 258, Senators Flatt, Reinke and Krenz.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 177.

KENNETH L. MORGAN, Chief Clerk.

Senator Brunsdale moved that the Conference Committee on House Bill No. 29, consisting of Senators Young, Streibel and Conrad be discharged and a new Committee appointed, which motion prevailed.

The President appointed as such Conference Committee on House Bill No. 29, Senators Conrad, Streibel and Flatt.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee, on House Bill No. 29, Senators Conrad, Streibel and Flatt.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution EE.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 83.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 190 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Johnson of Richland, Bymers and Ohnstad.

KENNETH L. MORGAN, Chief Clerk.

Senator Morgan moved that the President appoint a Conference Committee on House Bill No. 190, which motion prevailed.

The President appointed as such Conference Committee on

House Bill No. 190 Senators Kehoe, Nelson of Griggs-Steele, and Peterson.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 190, Senators Kehoe, Nelson of Griggs-Steele and Peterson.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do recess at the call of the chair, which motion prevailed.

The Senate reconvened at the expiration of the recess period.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 3.  
Senate Bill No. 5.  
Senate Bill No. 6.  
Senate Bill No. 12.  
Senate Bill No. 16.  
Senate Bill No. 22.  
Senate Bill No. 25.  
Senate Bill No. 27.  
Senate Bill No. 28.  
Senate Bill No. 32.  
Senate Bill No. 43.  
Senate Bill No. 53.  
Senate Bill No. 59.  
Senate Bill No. 67.  
Senate Bill No. 71.  
Senate Bill No. 72.  
Senate Bill No. 73.  
Senate Bill No. 74.  
Senate Bill No. 94.  
Senate Bill No. 109.  
Senate Bill No. 120.  
Senate Bill No. 127.  
Senate Bill No. 135.  
Senate Bill No. 140.  
Senate Bill No. 142.  
Senate Bill No. 145.  
Senate Bill No. 155.  
Senate Bill No. 175.  
Senate Bill No. 190.  
Senate Bill No. 209.  
Senate Concurrent Resolution 2.  
Senate Concurrent Resolution 13.  
Senate Concurrent Resolution 16.

And the President signed the same in the presence of the Senate.

### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President; I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 27.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 180.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 222.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report to House Bill No. 29 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Symington, Stormon and Heckman.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and reported:

That the committee is unable to agree and asked to be discharged and a new committee be appointed.

For the Senate:  
J. L. FLATT  
R. M. STREIBEL  
JOHN CONRAD

For the House:  
EARL D. SYMINGTON  
HARRY STORMON  
J. H. HECKMAN

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

The President announced the appointment of Senators Drew, Nordhogen and O'Brien as a Conference Committee on House Bill No. 29.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee's amendment to Senate Bill No. 17.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 190 made the following report:

Mr. President: Your Conference Committee to whom was

referred House Bill No. 190, have had the same under consideration and recommend that the House do concur with the Senate amendments.

For the Senate:

P. A. PETERSON  
J. J. KEHOE  
STEVEN C. NELSON

For the House:

VERNON M. JOHNSON  
CORNELIUS BYMERS  
MANFRED R. OHNSTAD

Senator Kehoe moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 258 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 258, have had the same under consideration and recommend:

In line 4 of Section 1 of the enrolled bill strike out the words "fifteenth day of September" and insert in lieu thereof the following: "tenth day of July."

In line 13 of Section 2 of the enrolled bill strike out the word "townships" and insert in lieu thereof the following: "organized townships and Board of County Commissioners in unorganized townships".

In line 16 of Section 2 of the enrolled bill after the word "grasses" insert the following: "in each organized township".

In line 17 of Section 2 of the enrolled bill strike out the words "of such township" and insert in lieu thereof the following: "thereof".

In line 18 of Section 2 of the enrolled bill after the word "and" insert "all of such charges in organized and unorganized townships".

In line 24 of Section 2 of the enrolled bill strike out the word "townships" and insert in lieu thereof the following: "respective subdivisions entitled thereto".

Renumber the lines accordingly.

For the Senate:

REINHART KRENZ  
JOSEPH A. REINKE  
J. L. FLATT

For the House:

THOS V. DEVLIN  
W. M. SMART  
WESLEY L. BOLMEIER

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Conrad moved that the rules be suspended, that House Bill No. 258 be placed upon second reading and final passage as amended by the Conference Committee, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Reg-

ularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Peterson
Brant	Leno	Reinke
Braun	Lofthus	Rue
Bridston	Lynch	Schrock
Brunsdale	Morgan	Stucke
Conrad	Nelson, Griggs-	Thatcher
Dahlen	Steele	Wahlund
Flatt	Oksendahl	Work
Frojen	Olson, Barnes	Young
Kamrath	Olson, McHenry	

Absent and not voting:

Beaton	Greiser	Raschko
Bond	Murry	Semerad
Day	Nelson, McKenzie	Shure
Drew	Nordhougen	Streibel
Feton	O'Brien	Troxel
Foss	Page	Wog

So the bill passed and the title was agreed to.

Senator Conrad moved that the vote by which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to House Bill No. 258.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 185.

KENNETH L. MORGAN, Chief Clerk.

The President announced that the Senate would be on the fourteenth order of business.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 7.  
House Bill No. 20.

House Bill No. 23.  
 House Bill No. 28.  
 House Bill No. 44.  
 House Bill No. 105.  
 House Bill No. 123.  
 House Bill No. 134.  
 House Bill No. 195.  
 House Bill No. 196.  
 House Bill No. 197.  
 House Bill No. 219.  
 House Bill No. 259.  
 House Bill No. 267.  
 House Bill No. 276.  
 House Bill No. 277.  
 House Bill No. 285.  
 House Bill No. 5.  
 House Bill No. 8.  
 House Bill No. 13.  
 House Bill No. 16.  
 House Bill No. 18.  
 House Bill No. 19.  
 House Bill No. 24.  
 House Bill No. 25.  
 House Bill No. 32.  
 House Bill No. 49.  
 House Bill No. 55.  
 House Bill No. 71.  
 House Bill No. 119.  
 House Bill No. 145.  
 House Bill No. 158.  
 House Bill No. 162.  
 House Bill No. 194.  
 House Bill No. 213.  
 House Bill No. 247.

House Concurrent Resolution "S".

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

##### Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of

1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "FF".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 3.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945.

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 234.

KENNETH L. MORGAN, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certifi-

cates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised

Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on

the Postwar Military Establishment and the Status of the National Guard.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Which the President has signed.

W. J. TROUT, Secretary.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Drew, Nordhougen and O'Brien.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 190.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 258.

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 213.

And find the same correctly enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 29 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 29, have had the some under consid-eration and are unable to agree and beg to be discharged and a new Conference Committee appointed.

For the Senate:

G. F. DREW  
HARRY O'BRIEN  
ORRIS G. NORDHOUGEN.

For the House:

E. D. SYMINGTON  
HARRY STORMON  
J. H. HECKMAN.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed as a Conference Committee on House Bill No. 29, Senators Stucke, Brunsdale and Young.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Enlargement respectfully report that they have examined the following bill:

Senate Bill No. 52.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee amendment to House Bill No. 29 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Reps. Johnson of Richland, Bolmeier and Devlin.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "DD".

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Brunsdale, Stucke and Young.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report to House Bill No. 190.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous

Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

House Concurrent Resolution "BB".

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engraving respectfully report that they have examined the following bill:

Senate Bill No. 1.

- And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Dura-

tion of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "FF".

Was read the first time.

Senator Flatt moved that the rules be suspended, that House Concurrent Resolution "FF" be placed upon second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "FF".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Blank	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Brunsdale	Lynch	Rue
Conrad	Morgan	Schrock
Dahlen	Nelson, Griggs-	Semerad
Day	Steele	Streibel
Drew	Nordhougen	Stucke
Flatt	O'Brien	Thatcher
Frojen	Oksendahl	Wahlund
Kamrath	Olson, McHenry	Work
Kehoe	Olson, Mountrail	Young
Absent and not voting:		
Beaton	Foss	Raschko
Bilden	Greiser	Shure
Bond	Murry	Troxel
Bridston	Nelson, McKenzie	Wog
Feton	Olson, Barnes	

So the resolution passed and the title was agreed to.

Senator Flatt moved that the vote by which House Concurrent Resolution "FF" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized by Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

House Concurrent Resolution "AA".

House Concurrent Resolution "CC".

House Concurrent Resolution "EE".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "FF".

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

## REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 29 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and recommend:

That the Senate recede from its amendment in line 10 of the engrossed bill, and that the bill be amended in the same line by striking out the figures "\$3,400,000.00" and inserting in lieu thereof the figures "\$3,600,000.00"; that the House concur in the Senate amendment in line 16 and line 28 of the engrossed bill.

For the Senate:  
C. N. BRUNSDALE  
M. R. YOUNG  
E. C. STUCKE

For the House:  
VERNON M. JOHNSON  
THOS. V. DEVLIN  
WESLEY L. BOLMEIER

Senator Brunsdale moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that House Bill No. 29 be placed upon second reading and final passage as amended in Conference Committee, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Kehoe	Olson, Mountrail
Blank	Krenz	Page
Brant	Leno	Peterson
Braun	Lofthus	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Schrock
Conrad	Nelson, Griggs-	Semerad
Dahlen	Steele	Streibel
Day	Nordhogen	Stucke
Drew	O'Brien	Thatcher
Flatt	Oksendahl	Wahlund

Frojen	Olson, Barnes	Wog
Kamrath	Olson, McHenry	Young
Absent and not voting:		
Beaton	Greiser	Shure
Bond	Murry	Troxel
Feton	Nelson, McKenzie	Work
Foss	Raschko	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the vote by which House Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 29.

W. J. TROUT, Secretary.

Pursuant to the provisions of House Bill No. 83 the President of the Senate appointed the five members to serve on the Interim Committee as provided in this Act. On that Committee were appointed Senator Morgan of Walsh County, Senator Conrad of Cass County, Senator Brant of Emmons County, Senator Streibel of Wells County and Senator Nelson of McKenzie County.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 21.  
House Bill No. 22.  
House Bill No. 48.  
House Bill No. 109.  
House Bill No. 114.  
House Bill No. 121.  
House Bill No. 147.  
House Bill No. 161.  
House Bill No. 203.  
House Bill No. 220.  
House Bill No. 223.  
House Bill No. 228.  
House Bill No. 239.  
House Bill No. 268.  
House Bill No. 278.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "G".  
 House Concurrent Resolution "N".  
 House Concurrent Resolution "O".  
 House Concurrent Resolution "X".  
 House Concurrent Resolution "Z".  
 House Concurrent Resolution "AA".  
 House Concurrent Resolution "BB".  
 House Concurrent Resolution "CC".  
 House Concurrent Resolution "EE".

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota

Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

House Concurrent Resolution "AA".

House Concurrent Resolution "BB".

House Concurrent Resolution "CC".

House Concurrent Resolution "EE".

Which the President has signed.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 1.

Senate Bill No. 52.

Senate Bill No. 213.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### MESSAGES FROM THE HOUSE

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 52. A Bill for an Act to Amend and Re-

enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 3.  
 Senate Bill No. 5.  
 Senate Bill No. 6.  
 Senate Bill No. 12.  
 Senate Bill No. 16.  
 Senate Bill No. 22.  
 Senate Bill No. 25.  
 Senate Bill No. 27.  
 Senate Bill No. 28.  
 Senate Bill No. 32.  
 Senate Bill No. 43.  
 Senate Bill No. 53.  
 Senate Bill No. 59.  
 Senate Bill No. 67.  
 Senate Bill No. 71.  
 Senate Bill No. 72.  
 Senate Bill No. 73.  
 Senate Bill No. 74.  
 Senate Bill No. 94.  
 Senate Bill No. 109.  
 Senate Bill No. 120.  
 Senate Bill No. 127.  
 Senate Bill No. 135.  
 Senate Bill No. 140.  
 Senate Bill No. 142.  
 Senate Bill No. 145.  
 Senate Bill No. 155.  
 Senate Bill No. 175.  
 Senate Bill No. 190.  
 Senate Bill No. 209.  
 Senate Concurrent Resolution No. 2.  
 Senate Concurrent Resolution No. 13.  
 Senate Concurrent Resolution No. 16.

Were delivered to the Governor for his approval at the hour of 11:15 o'clock a. m., March 2, 1945.

W. R. BOND, Chairman.

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the

Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207

of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

House Concurrent Resolution "FF".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign;

House Bill No. 1.

House Bill No. 2.

House Bill No. 3.  
 House Bill No. 27.  
 House Bill No. 29.  
 House Bill No. 62.  
 House Bill No. 75.  
 House Bill No. 83.  
 House Bill No. 122.  
 House Bill No. 172.  
 House Bill No. 177.  
 House Bill No. 180.  
 House Bill No. 185.  
 House Bill No. 190.  
 House Bill No. 222.  
 House Bill No. 234.  
 House Bill No. 258.  
 House Concurrent Resolution "DD".  
 House Concurrent Resolution "FF".

And the President signed the same in the presence of the Senate.

### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 1. A Bill for an Act to appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions,

Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on

Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Work-

men's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

House Concurrent Resolution "FF".

Which the President has signed.

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills and resolutions:

Senate Bill No. 6.  
 Senate Bill No. 11.  
 Senate Bill No. 13.  
 Senate Bill No. 14.  
 Senate Bill No. 36.  
 Senate Bill No. 55.  
 Senate Bill No. 56.  
 Senate Bill No. 89.  
 Senate Bill No. 97.  
 Senate Bill No. 110.  
 Senate Bill No. 115.  
 Senate Bill No. 122.  
 Senate Bill No. 124.  
 Senate Bill No. 126.  
 Senate Bill No. 129.  
 Senate Bill No. 132.  
 Senate Bill No. 146.  
 Senate Bill No. 156.  
 Senate Bill No. 167.  
 Senate Bill No. 168.  
 Senate Bill No. 173.  
 Senate Bill No. 176.  
 Senate Bill No. 194.  
 Senate Bill No. 196.  
 Senate Bill No. 203.  
 Senate Bill No. 206.  
 Senate Bill No. 208.  
 Senate Bill No. 212.  
 Senate Resolution No. 2.  
 Senate Resolution No. 3.  
 Senate Resolution No. 4.  
 Senate Concurrent Resolution No. 8.  
 Senate Concurrent Resolution No. 9.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 6.  
 Senate Bill No. 11.  
 Senate Bill No. 13.  
 Senate Bill No. 14.  
 Senate Bill No. 36.  
 Senate Bill No. 55.  
 Senate Bill No. 56.  
 Senate Bill No. 89.  
 Senate Bill No. 97.  
 Senate Bill No. 110.  
 Senate Bill No. 115.  
 Senate Bill No. 122.  
 Senate Bill No. 124.  
 Senate Bill No. 126.  
 Senate Bill No. 129.  
 Senate Bill No. 132.  
 Senate Bill No. 146.  
 Senate Bill No. 156.  
 Senate Bill No. 167.  
 Senate Bill No. 168.  
 Senate Bill No. 173.  
 Senate Bill No. 176.  
 Senate Bill No. 194.  
 Senate Bill No. 196.  
 Senate Bill No. 203.  
 Senate Bill No. 206.  
 Senate Bill No. 208.  
 Senate Bill No. 212.  
 Senate Concurrent Resolution No. 8.  
 Senate Concurrent Resolution No. 9.  
 Senate Resolution No. 2.  
 Senate Resolution No. 3.  
 Senate Resolution No. 4.

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North

Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any

Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Pro-

viding for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring an Emergency.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

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Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

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Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

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Building and Loan Associations, and Declaring an Emergency.

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Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

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Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code

of 1943, Relating to the Oath of Office, Filing of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Bill No. 212. A Bill for an Act to appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring an Emergency.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Enrossment respectfully report that they have examined the following bills:

Senate Bill No. 2.  
Senate Bill No. 8.  
Senate Bill No. 17.  
Senate Bill No. 85.  
Senate Bill No. 87.  
Senate Bill No. 105.  
Senate Bill No. 211.  
Senate Bill No. 69.  
Senate Bill No. 192.

And find the same correctly Enrolled.

W. R. BOND, Chairman.

Senator Bond moved that the report be adopted, which motion prevailed and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2.  
Senate Bill No. 8.  
Senate Bill No. 17.  
Senate Bill No. 69.  
Senate Bill No. 85.  
Senate Bill No. 87.  
Senate Bill No. 105.  
Senate Bill No. 192.  
Senate Bill No. 211.

And the President signed the same in the presence of the Senate.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code

of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

### MESSAGE FROM THE HOUSE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

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Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto,

and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

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Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that:

Senate Bill No. 1.  
 Senate Bill No. 2.  
 Senate Bill No. 6.  
 Senate Bill No. 8.  
 Senate Bill No. 11.  
 Senate Bill No. 13.  
 Senate Bill No. 14.  
 Senate Bill No. 17.  
 Senate Bill No. 36.  
 Senate Bill No. 52.  
 Senate Bill No. 55.  
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 Senate Bill No. 176.  
 Senate Bill No. 192.  
 Senate Bill No. 194.  
 Senate Bill No. 196.  
 Senate Bill No. 203.  
 Senate Bill No. 206.  
 Senate Bill No. 208.  
 Senate Bill No. 211.

Senate Bill No. 212.  
Senate Bill No. 213.  
Senate Concurrent Resolution No. 9.

Were delivered to the Governor for his approval at the hour of 11:15 o'clock a. m., March 2, 1945.

W. R. BOND, Chairman.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Resolution No. 2.  
Senate Resolution No. 3.  
Senate Resolution No. 4.  
Senate Concurrent Resolution No. 8.

Were delivered to the Secretary of State at the hour of 10:30 o'clock a. m., March 2, 1945.

W. R. BOND, Chairman.

#### SUMMARY OF HOUSE AMENDMENTS TO SENATE BILLS

Senate Bill No. 1 (House Amendments)

Line 10—Strike out the figures "\$1,099,747.00" and insert in lieu thereof the figures "\$1,135,437.00".

Line 11—Strike out the figures "931,890.00" and insert in lieu thereof the figures "951,890.00".

Line 12—Change the word "Agri." to read "Agricultural", "Expr." to read "Experiment".

Line 13—Change the word "Agri." to read "Agricultural", "Exten." to read "Extension".

Line 14—Strike out the figures "75,998.00" and insert in lieu thereof the figures "75,923.00".

Line 15—Change the word "Sch." to read "School" and strike out the figures "169,035.00" and insert in lieu thereof the figures "168,935.00".

Line 17—Strike out the figures "237,106.00" and insert in lieu thereof the figures "238,781.00".

Line 18—Strike out the figures "226,831.00" and insert in lieu thereof the figures "229,831.00".

Line 19—Strike out the figures "300,395.00" and insert in lieu thereof the figures "290,395.00".

Line 20—Strike out the figures "373,744.00" and insert in lieu thereof the figures "376,744.00".

Line 27—Change the word "Sch." to read "School".

Line 51—Strike out the figures "\$104,227.00" and insert in lieu thereof the figures "\$113,227.00".

Line 53—Strike out the figures "18,400.00" and insert in lieu thereof the figures "20,000.00".

Line 55—Strike out the figures "232,512.00" and insert in lieu thereof the figures "252,712.00".

Line 56—Strike out the figures "50,520.00" and insert in lieu thereof the figures "54,920.00".

Line 57—Strike out the figures "124,607.00" and insert in lieu thereof the figures "135,407.00".

Line 60—Strike out the figures “20,048.00” and insert in lieu thereof the figures “21,848.00”.

Line 61—Strike out the figures “20,000.00” and insert in lieu thereof the figures “20,590.00”.

Line 62—Strike out the figures “26,709.00” and insert in lieu thereof the figures “29,009.00”.

Line 63—Strike out the figures “\$698,385.00” and insert in lieu thereof the figures “\$749,075.00”.

Line 67—Change the word “Mtce.” to read “Maintenance”.

Line 69—Strike out the figures “237,000.00” and insert in lieu thereof the figures “222,000.00”.

Line 74—Strike out the figures “1,184,747.00” and insert in lieu thereof the figures “1,220,437.00”.

Line 77—Strike out the figures “849,747.00” and insert in lieu thereof the figures “885,437.00”.

Line 78—After the words “New Buildings:” strike out the balance of the line.

Line 79—Strike out in its entirety.

Line 81—Strike out the figures “\$1,099,747.00” and insert in lieu thereof the figures “\$1,135,437.00”.

Line 83—Strike out the figures “\$571,900.00” and insert in lieu thereof the figures “\$591,900.00”.

Line 87—Change the word “Mtce.” to read “Maintenance”.

Line 88—Change the word “Place.” to read “Placement”.

Line 89—Change the word “Serv.” to read “Service”.

Line 94—Strike out the figures “1,116,890.00” and insert in lieu thereof the figures “1,136,890.00”.

Line 97—Strike out the figures “666,890.00” and insert in lieu thereof the figures “686,890.00”.

Line 98—After the words “New Buildings:” strike out the balance of the line.

Line 99—Strike out in its entirety.

Line 102—Strike out the figures “\$931,890.00” and insert in lieu thereof the figures “\$951,890.00”.

Line 103—Change the words “AGRIC.” to read “AGRICULTURAL” and “EXPR.” to read “EXPERIMENT”.

Line 105—Change the word “Mtce.” to read “Maintenance”.

Line 113—Change the word “Mtce.” to read “Maintenance”.

Line 114—Change the word “Mtce.” to read “Maintenance”.

Line 115—Change the word “Mtce.” to read “Maintenance”.

Line 116—Change the word “Expr.” to read “Experiment” and “Mtce.” to read “Maintenance”.

Line 117—Change the word “Mtce.” to read “Maintenance”.

Line 119—Change the word “Mtce.” to read “Maintenance”.

Line 122—Change the word “AGRIC.” to read “AGRICULTURAL” and “EXTEN.” to read “EXTENSION”.

Line 139—Change the word “Mtce.” to read “Maintenance”.

Line 140—Change the words “Health&” to read “Health &”, “Place.” to “Placement” and “Serv.” to “Service”.

Line 146—Strike out the figures “102,998.00” and insert in lieu thereof the figures “102,923.00”.

Line 148—Strike out the figures "\$75,998.00" and insert in lieu thereof the figures "\$75,923.00".

Line 154—Change the word "Mtce." to read "Maintenance".

Line 155—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 160—Change the word "Equip." to read "Equipment", strike out the period after the word "Arts" and change the word "Bldg." to read "Building".

Line 161—Strike out the figures "224,035.00" and insert in lieu thereof the figures "223,935.00".

Line 163—Strike out the figures "\$169,035.00" and insert in lieu thereof the figures "\$168,935.00".

Line 169—Change the word "Mtce." to read "Maintenance".

Line 170—Change the word "Place." to read "Placement" and "Serv." to read "Service".

Line 182—Strike out the figures "\$152,325.00" and insert in lieu thereof the figures "\$154,000.00".

Line 186—Change the word "Mtce." to read "Maintenance".

Line 187—Change the word "Place." to read "Placement" and "Serv" to read "Service".

Line 192—Strike out the figures "276,106.00" and insert in lieu thereof the figures "277,781.00".

Line 195—Capitalize the word "appropriation" and strike out the figures "\$237,106.00" and insert in lieu thereof the figures "\$238,781.00".

Line 197—Strike out the figures "\$127,030.00" and insert in lieu thereof the figures "\$130,030.00".

Line 201—Change the word "Mtce." to read "Maintenance".

Line 202—Change the word "Place." to read "Placement" and "Serv." to "Service".

Line 207—Strike out the figures "\$251,831.00" and insert in lieu thereof the figures "254,831.00".

Line 209—Strike out the figures "191,831.00" and insert in lieu thereof the figures "194,831.00".

Line 211—Change the word "Impr." to read "Improvements".

Line 212—Strike out the figures "\$226,831.00" and insert in lieu thereof the figures "\$229,831.00".

Line 214—Strike out the figures "\$259,724.00" and insert in lieu thereof the figures "\$249,724.00".

Line 218—Change the word "Mtce." to read "Maintenance".

Line 219—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 224—Strike out the figures "445,395.00" and insert in lieu thereof the figures "435,395.00".

Line 227—Strike out the figure "\$300,395.00" and insert in lieu thereof the figures "\$290,395.00".

Line 229—Strike out the figures "\$243,393.00" and insert in lieu thereof the figures "\$246,393.00".

Line 233—Change the word "Mtce." to read "Maintenance".

Line 234—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 240—Strike out the figures “500,744.00” and insert in lieu thereof the figures “503,744.00”.

Line 243—Strike out the figures “\$373,744.00” and insert in lieu thereof the figures “\$376,744.00”.

And further amend by renumbering the lines.

Senate Bill No. 2 (House Amendments)

Line 16—Strike out the figures “50,000.00” and insert in lieu thereof the figures “45,000.00”.

Line 18—Change the word “Intern'l” to read “International” and “Com're” to read “Commissioners”.

Line 20—Change the abbreviations “U. S.” to read “United States”.

Line 22—Change the abbreviations “U. S.” to read “United States”.

Line 26—Strike out the figures “20,000.00” and insert in lieu thereof the figures “25,000.00”.

And further amend by renumbering the lines.

Senate Bill No. 2 (Amended on floor)

In line 15 of the bill strike out the figures \$15,000.00 and insert the figures \$25,000.00.

In line 25 of the bill strike out the figures \$250,000.00 and insert the figures \$240,000.00.

Senate Bill No. 3 (House Amendment)

Line 18—Change the abbreviations “U. S.” to read “United States”.

Senate Bill No. 4 (House amendment)

Line 3—Strike out the figures “\$100.00” and insert in lieu thereof the figures “\$200.00”.

Senate Bill No. 5 (House Amendments)

Line 3—Strike out the figures “\$256,368.00” and insert in lieu thereof the figures “\$240,408.00”.

Line 17—Strike out the figures “102,000.00” and insert in lieu thereof the figures “90,000.00”.

Line 18—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 26—Strike out the figures “\$151,920.00” and insert in lieu thereof the figures “\$139,920.00”.

Line 28—Strike out the figures “\$40,000.00” and insert in lieu thereof the figures “\$36,040.00”.

Line 29—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 35—Strike out the figures “\$52,800.00” and insert in lieu thereof the figures “\$48,840.00”.

Line 38—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 46—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 52—Strike out the figures “\$256,368.00” and insert in lieu thereof the figures “\$240,408.00”.

## Senate Bill No. 6 (House Amendments)

Line 8—Change the word “adminsitration” to read “administration”.

Line 15—Strike out figures “\$11,000.00” and insert in lieu thereof the figures “\$10,000.00”.

Insert a new line as follows:

“15a Salary—State Highway Engineer .....10,000.00”.

Line 16—Strike out the figures “189,000.00” and insert in lieu thereof of figures “180,000.00”.

Line 26—Change the word “Departemnt” to read “Department”.

And further amend by renumbering the lines.

## Senate Bill No. 7 (House Amendment)

Line 11—Change the abbreviation “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

## Senate Bill No. 8 (House Amendments)

Line 9—Strike out the figures “\$4,800.00” and insert in lieu thereof the figures “\$5,400.00”.

Line 9—Stike out the figures “\$4,800.00” and insert in lieu thereof the figures “\$5,400.000”.

Line 10—Change the word “Ass’t” to read “Assistant”, and strike out the figures “4,200.00” and insert in lieu thereof the figures “4,800.00”.

Line 13—Change the words “Prtg.” to read “Printing”, “Furn.” to “Furniture”.

Line 19—Change the word “Mtce.” to read “Maintenance”.

Line 21—Strike out the figures “\$208,546.09” and insert in lieu thereof the figures “\$209,746.09”.

And further amend by renumbering the lines.

## Senate Bill No. 11 (House Amendments)

Line 11—Change the word “Com’r” to read “Commissioner”.

Line 14—Change the word “Ptg.” to read “Printing” and “Furn.” to “Furniture”.

Line 22—Change the word “Mtce.” to read “Maintenance”.

Line 23—Change the word “Mtce.” to read “Maintenance”.

And further amend by renumbering the lines if necessary.

## Senate Bill No. 12 (House Amendments)

Line 4—Strike out the figures “\$22,235.00” and insert in lieu thereof the figures “\$27,635.00”.

Line 9—Strike out the figures “\$2,400.00” and insert in lieu thereof the figures “\$4,800.00”.

Line 11—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “\$3,000.00” and insert in lieu thereof the figures “6,000.00”.

Line 17—Strike out the figures “\$22,235.00” and insert in lieu thereof the figures “\$27,635.00”.

And further amend by renumbering the lines.

## Senate Bill No. 13 (House Amendments)

Line 32—Change the word “Ass’n” to read “Association”.

Line 34—Change the words “N. Dak.” to read “North Dakota” and “Dept.” to “Department”.

And further amend by renumbering the lines.

## Senate Bill No. 14 (House Amendments)

Line 11—Change the word “Exec.” to read “Executive” and “St.” to read “State”.

Line 14—Change the word “Prtg.” to read “Printing” and “Furn.” to read “Furniture”.

And further amend by renumbering the lines.

## Senate Bill No. 16 (House Amendments)

Line 12—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 27—Change the word “Mtce.” to read “Maintenance”.

Line 28—Change the word “Mtce.” to read “Maintenance”.

And further amend by renumbering the lines.

## Senate Bill No. 17 (House Amendments)

Line 3—Strike out the figures “\$13,965.00” and insert in lieu thereof the figures “\$13,485.00”.

Line 11—Strike out the figures “3,240.00” and insert in lieu thereof the figures “2,760.00”.

Line 12—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 17—Strike out the figures “\$13,965.00” and insert in lieu thereof the figures “\$13,485.00”.

Line 20—Strike out the words “to the credit of Coal Mine Safety Fund”.

Line 26—Strike out the word “Fund”.

And further amend by renumbering the lines.

## Senate Bill No. 19 (House Amendments)

Line 14—Strike out the figures “\$160,000.00” and insert in lieu thereof the figures “\$164,500.00”.

Line 16—After the word “building” insert the words “, sewer and water extension, furniture and equipment”.

And further amend by renumbering the lines.

## Senate Bill No. 21 (House Amendment)

Line 3—Strike out the figures “\$3000.00” and insert in lieu thereof the figures “\$2,500.00”.

## Senate Bill No. 22 (House Amendment)

Line 3—Strike out the figures “\$31,400.00” and insert in lieu thereof the figures “\$45,700.00”.

Line 9—Strike out the figures “\$6,600.00” and insert in lieu thereof the figures “\$8,400.00”.

Line 10—Change the word “Ass’t” to read “Assistant” and strike out the figures “4,800.00” and insert in lieu thereof the figures “9,600.00”.

Line 11—Strike out the figures “10,000.00” and insert in lieu thereof the figures “12,000.00”.

Line 12—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture” and strike out the figures “3,000.00” and insert in lieu thereof the figures “4,000.00”.

Add a new line as follows:

“12a Electric Light, Telephone and Telegraph .....1,800.00”

Line 14—Strike out the figures “3,000.00” and insert in lieu thereof the figures “5,000.00”.

Line 15—Strike out the figures “1,500.00” and insert in lieu thereof the figures “2,400.00”.

Line 17—Strike out the figures “\$31,400.00” and insert in lieu thereof the figures “\$45,700.00”.

And further amend by renumbering the lines.

Senate Bill No. 22 (Amended further by the Committee of the Whole)

In the title of the bill strike out the words “Veterans’ Service Commissioner” and insert in lieu thereof “Commissioner of Veterans’ Affairs”.

In line 5 strike out the words “Veterans’ Service Commissioner” and insert in lieu thereof “Commissioner of Veterans’ Affairs”.

Senate Bill No. 24 (House Amendments)

Line 4—Strike out the figures “\$210,075.00” and insert in lieu thereof the figures “\$196,075.00”. (Refer to below amendments.)

Line 12—Strike out the figures “\$17,400.” and insert in lieu thereof the figures “\$15,600.00”.

Line 13—Strike out the figures “109,775.00” and insert in lieu thereof the figures “100,575.00”.

Line 14—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 16—Strike out the figures “8,000.00” and insert in lieu thereof the figures “6,000.00”. (Refer to below amendments.)

Line 17—Strike out the figures “4,000.00” and insert in lieu thereof the figures “3,000.00”.

Line 23—Strike out the figures “\$210,075.00” and insert in lieu thereof the figures “\$196,075.00”. Refer to below amendments.)

And further amend by renumbering the lines.

Senate Bill No. 24 (Further amended by the Committee of the Whole)

In line 4—Strike out the figures “\$196,075.00” and insert in lieu thereof the figures “\$198,075.00”.

In line 16—Strike out the figures “\$6,000.00” and insert in lieu thereof the figures “\$8,000.00”.

In line 23—Strike out the figures “196,075.00” and insert in lieu thereof the figures “\$198,075.00”.

Senate Bill No. 25 (House Amendments)

Line 6—After the word “Survey” strike out the balance of the line in its entirety.

Lines 7 & 8—Strike out in their entirety.

Line 9—Strike out the word "Survey".

Line 12—Change the word "Prtg." to read "Printing", "Furn." to "Furniture".

And further amend by renumbering the lines.

Senate Bill No. 26 (House Amendments)

Line 7—At the end of the sentence, change the period to a comma and add the following lines:

"8 for the biennium beginning July 1st, 1945 and ending  
9 June 30th, 1947."

Senate Bill No. 27 (House Amendments)

Line 3—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

Line 9—Strike out the figures "\$300.00" and insert in lieu thereof the figures "\$750.00".

Line 10—Strike out the figures "400.00" and insert in lieu thereof the figures "1,200.00".

Line 12—Strike out the figures "600.00" and insert in lieu thereof the figures "1,000.00".

Line 13—Strike out the figures "300.00" and insert in lieu thereof the figures "600.00".

Line 14—Strike out the figures "1,800.00" and insert in lieu thereof the figures "15,840.00".

Line 15—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

Senate Bill No. 28 (House Amendments)

Line 3—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

Line 9—Change the word "Com'r" to read "Commissioner".

Line 11—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Insert a new line as follows:

"22c Chemistry Tables and Installation.....5,000.00".

Line 23—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

And further amend by renumbering the lines.

Senate Bill No. 29 (House Amendment)

Line 5—At the end of the sentence change the period to a comma and add the words "bonded under the provisions of Section" and add a new line as follows: "6 11-1006 of the North Dakota Revised Code of 1943."

Senate Bill No. 36 (House Amendment)

Line 22—After the words "a voucher sworn" change the word "bo" to read "to".

Senate Bill No. 38 (House Amendments)

In line two of the title of the re-engrossed bill after the word "re-enacting" strike the remainder of the line, all of line three and line four to and including the word "as".

In line five of the title after the words "of the" strike the

figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line six of the title after the word "child" strike the remainder of the line, all of line seven and line eight to and including the word "as" and insert in lieu thereof the word "Section" also in line eight after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the words "North Dakota Revised Code of 1943".

In line ten of the title after the word "retroactive;" strike the remainder of the line, all of line eleven, and line twelve to and including the word "as" and insert in lieu thereof the word "Section" also in line twelve after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line thirteen of the title after the word "compensation;" strike the remainder of the line, all of line fourteen and all of line fifteen and insert in lieu thereof the following word "Section".

In line sixteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventeen of the title after the word "disability;" strike the remainder of the line, all of line eighteen and line nineteen to and including the word "as" and insert in lieu thereof the word "Section" also in line nineteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty of the title after the word "benefits;" strike the remainder of the line, all of line twenty-one and line twenty-two to and including the word "as".

In line twenty-three after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-four of the title after the word "employee;" strike the remainder of the line, all of twenty-five and line twenty-six to and including the word "as" and insert in lieu thereof the word "Section", also in line twenty-six after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-seven of the title after the word "settlements;" strike the remainder of the line, all of line twenty-eight, and line twenty-nine to and including the word "as" and insert in lieu thereof the word "Section", also in line twenty-nine after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line thirty of the title after the word "section" strike the remainder of the line, all of line thirty-one and line thirty-two to and including the word "as", also in line thirty-two after the words "of the" strike the figures "1943" and the word "Code" and insert the following words in lieu thereof "North Dakota Revised Code of 1943".

In line one of the re-engrossed bill after the word "That" strike the remainder of the line, all of line two, all of line

three and line four to and including the word "as" also in line four after the words "of the" strike the figures "1943" and the word "Code" in line five and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-four of the bill after the word "That" strike the remainder of the line, all of line twenty-five, all of line twenty-six and the word "as" in line twenty-seven and insert in lieu thereof the word "Section", also in line twenty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line forty-four after the word "That" strike the remainder of the line, all of line forty-five, all of line forty-six and the word "as" in line forty-seven and insert in lieu thereof the word "Section", also in line forty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line fifty-four of the bill after the word "That" strike the remainder of the line, all of line fifty-five, all of line fifty-six and the word "as" in subline fifty-six a, and insert in lieu thereof the word "Section", also in subline fifty-six a, after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventy-one of the bill after the word "That" strike the remainder of the line, all of line seventy-two, all of line seventy-three and the word "as" in line seventy-four and insert in lieu thereof the word "Section", also in line seventy-four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line one hundred fifty-one of the bill after the word "That" strike the remainder of the line, all of line one hundred fifty-two, all of line one hundred fifty-three and line one hundred fifty-four to and including the word "as", also in line one hundred fifty-four after the figures "65-0517", and before the word "is" insert the following words "North Dakota Revised Code of 1943".

In line one hundred ninety-two of the bill after the word "That" strike the remainder of the line, all of line one hundred ninety-three, all of line one hundred ninety-four and the word "as" in line one hundred ninety-five and insert in lieu thereof the word "Section", also in line one hundred ninety-five after the word "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred twenty-one of the bill after the word "That" strike the remainder of the line, all of line two hundred twenty-two, all of line two hundred twenty-three and line two hundred twenty-four to and including the word "as" and insert in lieu thereof the word "Section", also in line two hundred twenty-four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred thirty-one after the word "section" strike the remainder of the line, all of line two hundred thirty-two and line two hundred thirty-three to and including the word "as".

In line two hundred thirty-four after the word "the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943", and renumber the lines as required.

Senate Bill No. 41. (House Amendment)

In line 3 of the title following the word "by" insert the words "Organized Townships,".

In line 1 of the Bill before the word "Villages" insert the words "organized townships,".

In line 4 after the word "the" insert the words "organized townships,".

In line 8 after the word "such" insert the words "organized townships,".

And renumber the lines.

Senate Bill No. 44 (House Amendments)

In the title after the word "same" and before the word "in" insert the words "on the Capitol grounds."

In line 8 of the bill after the word "same" and before the word "in" insert the words "on the Capitol grounds." and renumber the lines.

Senate Bill No. 47 (House Amendments)

In the last line of the title after the word "purposes" strike the "period" and add the following language "and repealing Section 49-0602 and Section 49-0603 of the North Dakota Revised Code of 1943, and all acts or parts of acts in conflict herewith."

In the last line of Section 1 after the word "therein" and before the word "less" insert the following words "by the Utility".

In the first line of Section 3 after the word "the" at the end of the line insert the following words "North Dakota" and further amend the bill by renumbering the lines as necessary.

Senate Bill No. 48 (House Amendment)

In line 10 strike out the words 'or to be employed in any of said places.'

Senate Bill No. 55 (House Amendment)

At the end of line 16 and the beginning of line 17 strike out the word 'commission' and insert in lieu thereof the word 'committee.'

Senate Bill No. 56 (House Amendment)

Line 47 strike out the word 'herein' and in lieu thereof insert the word 'therein.'

Line 75 correct the spelling of the word 'judgment.'

Line 96 correct the spelling of the word 'thereof.'

Line 233 strike out the word 'and' following the word 'that' and in lieu thereof insert the word 'end.'

Senate Bill No. 57 (House Amendments)

In line 3 after the word "any" cross out the word "sale" and in lieu thereof insert the word "salt."

Further amended by correcting the spelling of the word Isonipecaine in the title of the bill.

Senate Bill No. 67 (House Amendment)

On line 18 strike out the word "service".

Senate Bill No. 69 (House Amendments)

In line 5 of the title of the bill strike out the figures "\$150,000.00" and insert in lieu thereof the figures "\$1,000,000.00".

In line 6 of the title of the bill strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$7,500.00".

Line 48—Strike out the figures "\$150,000.00" and insert in lieu thereof the figures "\$100,000.00".

Line 51—Strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$7,500.00".

Senate Bill No. 71 (House Amendment)

Strike out everything after "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943, fixing the compensation of Guardians of incompetent veterans and of minor children of disabled or deceased veterans, and prescribing the procedure for allowance of the same; declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

Section 1. Amendment. That Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943 be, and the same hereby is, amended and reenacted to read as follows:

Section 30-2313. Compensation of Guardians. Proceedings for allowance.) Unless the County Court determines that special services were performed by the guardian, the compensation payable to guardians under the provisions of this chapter shall not exceed five per cent (5%) of the income of the ward during any one year. In computing the same, the corpus of an estate received from a preceding guardian shall not be included as income. Provided, however, that when the ward's estate includes personal property, securities or other investments, the County Court may allow the guardian compensation for the safekeeping and management of such property and investments, but such compensation shall not exceed two-fifths of one per cent per annum of their value. If the County Court allows the guardian the maximum amount for the safekeeping and management of personal property and investments, the court shall not allow the guardian any compensation on the income collected on the same during the accounting period. In the event that the estate of the ward includes real estate, either city property or farm land, the County Court may allow the guardian such compensation for the supervision and management of such real estate as is commensurate with the services rendered at the prevailing rate paid for such services in the locality where such property is situated. If the compensation of a guardian, as provided for in this section, amounts to

less than twenty-five dollars (\$25.00) for any year, the County Court may, in its descretion, allow the guardian compensation in the amount of twenty-five dollars (\$25.00) for such year. The guardian shall petition for allowance of such compensation either by special petition or as a part of any petition for the allowance and approval of an account. Notice of such petition and of the time and place of hearing thereon shall be given to the proper office of the Administration in the manner provided in Section 30-2311. The guardian may be allowed from the estate of his ward reasonable premiums paid by him to any corporate surety upon his bond. No bond shall be required of any guardian which qualifies as a trust company in North Dakota, under Chapter 6-05 of the North Dakota Revised Code of 1943.

Section 2. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Senate Bill No. 85 (House Amendments)

In line 34 after the word "harness," delete the rest of the line, also delete lines 35 and 36 and insert in lieu thereof the following: "vehicles, and farm machinery while temporarily on or off the premises of the insured."

Renumber lines as necessary.

Senate Bill No. 88 (House Amendments)

Line 18 after coal mines insert period (.) and strike out the words "two years of which was had in this state."

Line 29 change the word five to 'seven'.

Renumber lines.

Senate Bill No. 102 (House Amendment)

In line 3 of the title change the word "inspection" to read "reception".

Senate Bill No. 115 (House Amendment)

Strike out all of "Section 8." and renumber the sections and lines accordingly.

Senate Bill No. 122 (House Amendment)

In line 363 after the word "1st" change the word "ot" to "to".

Senate Bill No. 124 (House Amendment)

In the last line of the title of the bill strike out the word "creating" and insert in lieu thereof the word "declaring".

Senate Bill No. 128 (House Amendments)

In line 6 of the Bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000".

In line 9 of the Bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000".

Senate Bill No. 132 (House Amendments)

In the title before the words "Revised Code" insert the words "North Dakota".

In line 2 before the words "Revised Code" insert the words "North Dakota".

## Senate Bill No. 135 (House Amendments)

In line "13" after the word "used" strike out "fro" and insert in lieu thereof the word "for". In line "49" after the word "less" strike out the word "then" and insert in lieu thereof the word "ten".

## Senate Bill No. 146 (House Amendments)

In line 11 of the original bill after the word "exceed" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$5.00". Also in line 11 after the word "and" strike out the numerals "\$5.00" and insert in lieu thereof "\$5.50".

In line 16 strike out the words "seed and".

In line 27 after the word "charges" strike out the period and add the following: "and shall make detailed annual reports of all receipts and expenditures to the Board of Administration, which shall publish the same for distribution to interested parties."

## Senate Bill No. 150 (House Amendments)

In the last line of the title after the word "act" strike the "period" and add the following language "and repealing all acts or parts of acts in conflict herewith."

## Senate Bill No. 154 (House Amendments)

In line 2 of the Bill, strike out the word "on" and insert in lieu thereof the word "and".

In line 3 of the Bill, strike out the word "as" following the word "same" and insert in lieu thereof the word "is".

## Senate Bill No. 165 (House Amendment)

In the last line of the title strike the word "creating" and insert in lieu thereof the word "declaring".

## Senate Bill No. 168 (House Amendments)

In line 14 of the Original Bill, strike out the words "appraised value" and substitute the words "true normal value".

At the end of line 15, strike out the period, substitute a comma and add the following: "and in the event of any such loan being made by a state bank in a principal amount in excess of ten percent of the capital and surplus of such bank, it must first be approved by the State Examiner."

Renumber the lines.

## Senate Bill No. 173 (House Amendments)

In line 15 after the comma insert the following: "not more than".

In line 18 strike the period after the word "state"; insert in lieu thereof a comma and add the following: "and shall be so located as to residence that each of four sections of the state (the southwest, northwest, northeast, and southeast) shall have equal representation on such committee."

In line 80 delete the following: "thereof, the Public Service Commission, and in line 81 delete the word "and". Insert in lieu thereof the following: "of the State including".

## Senate Bill No. 178 (House Amendment)

Strike out the period at the end of the title and add a comma, and insert the following words "and providing for refund to purchaser in the event of an adverse decision."

## Senate Bill No. 179 (House Amendment)

In line 31 of the original bill, after the word "States," strike out "accompanying" and insert in lieu thereof the word "accompanying."

## Senate Bill No. 186 (House Amendments)

In line "8" after the word "heretofore" insert the word "lawfully". In line "8" between the words "served" and "or" insert a "comma (,)" and after the "comma (,)" insert the word "proved".

## Senate Bill No. 192 (House Amendments)

In the last line of the title of the bill after the word "participation" strike the "period" and add the following language "and repealing all acts or parts of acts in conflict herewith."

## Senate Bill No. 194 (House Amendments)

In line 6 of the title strike out the words "to amend and" and strike out all of lines 7 and 8 and the words "on individuals;" in line 9.

On page 4 of the printed bill strike out Section 3 in its entirety.

Renumber section numbers.

## Senate Bill No. 203 (House Amendment)

In the last line of the title strike out the period and insert a comma, and the following words "and declaring an emergency".

## Senate Bill No. 208 (House Amendment)

In line fifteen of the original bill strike the words "twenty-four" and insert in lieu thereof the words "twenty-six".

In line seventeen strike the words "two thousand" and insert in lieu thereof the words "twenty-four hundred".

In line eighteen strike the words "two thousand" and insert in lieu thereof the words "twenty-four hundred", and renumber the lines as necessary.

## Senate Bill No. 211 (House Amendment)

In line 15 after the word "managers" and before the comma insert the following: "and counsel selected and employed by accused with respect to his defense in his impeachment trial"; and in line 16 after the word "court" strike out the period, substitute a comma and insert the following: "provided, however, that the amount paid to the counsel employed to assist the managers and the amount paid to the counsel employed to assist the accused shall be equal."

And renumber the lines.

Senate Bill No. 211 (Amended on floor)

In the title after the word "proceedings" and the comma, insert the following words "repealing all acts or parts of acts in conflict herewith",

After line 26 add a new section as follows:

**SECTION 3. REPEAL.** All acts or parts of acts in conflict are hereby repealed.

Senate Bill No. 212 (House Amendment) (Amended on floor, rules suspended)

At the end of line 6 strike out "July 1".

In line 7 strike out the figures "1947" and insert in lieu thereof "January 1, 1946".

Senate Concurrent Resolution No. 3 (House Amendment),

Line 78, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 80, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 81, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 83, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

And when so amended recommend the same do pass.

Senate Concurrent Resolution No. 8 (House Amendment)

In line 17 strike out the comma after the word "route"; insert a period in lieu thereof and strike out the remainder of the section.

This day's business being finished the Senate stands recessed pursuant to House Concurrent Resolution "EE", as amended, and adopted, to convene on May 22, 1945, at one o'clock p. m., Mountain War Time.

W. J. TROUT, Secretary.

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# RECORD OF BILLS AND RESOLUTIONS IN THE SENATE

## SENATE BILLS

### Senate Bill No. 1—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Introduction, first reading and reference, 41.

Reported back, 274.

Committee report laid over one day, 278.

Committee report adopted, 299.

Amendments, 274, 350.

Second reading, 350, 1195.

To House, 396.

Returned to Senate amended, 1184.

House amendments, 1281.

Concurred, 1195.

Enrolled, 1252.

Signed by President, 1261.

Sent to Governor, 1280.

### Senate Bill No. 2—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Introduction, first reading and reference, 41.

Reported back, 175.

Amendments, 175.

Other action, 1109.

Second reading, 191, 1207.

To House, 197.

Returned to Senate amended, 1102.

House amendments, 1284.

Conference Committee, 1132.

Conference Committee report, 1207.

Enrolled, 1277.

Signed by President, 1277.

Sent to Governor, 1280.

### Senate Bill No. 3—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for

**the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.**

Introduction, first reading and reference, 41.  
 Reported back, 175.  
 Amendments, 175.  
 Second reading, 192, 1110.  
 To House, 206.  
 Returned to Senate amended, 1102.  
 House amendments, 1284.  
 Concurred, 1109.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 4—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Introduction, first reading and reference, 41.  
 Reported back, 63.  
 Second reading, 70, 363.  
 To House, 79.  
 Returned to Senate amended, 359.  
 House amendments, 1284.  
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 Enrolled, 390.  
 Signed by President, 404.  
 Sent to Governor, 438.  
 Signed by Governor, 490.

**Senate Bill No. 5—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Introduction, first reading and reference, 41.  
 Reported back, 154.  
 Amendments, 154.  
 Second reading, 179, 1175.  
 To House, 196.  
 Returned to Senate amended, 1102.  
 House amendments, 1284.  
 Concurred, 1175.  
 Enrolled, 1209.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 6—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Introduction, first reading and reference, 41.  
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 Signed by President, 1238, 1270.  
 Sent to Governor, 1262, 1280.

**Senate Bill No. 7—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Introduction, first reading and reference, 41.  
 Reported back, 151.  
 Amendments, 151.  
 Second reading, 159, 364.  
 To House, 183.  
 Returned to Senate amended, 359.  
 House amendments, 1285.  
 Concurred, 364.  
 Enrolled, 390.  
 Signed by President, 404.  
 Sent to Governor, 438.  
 Signed by Governor, 490.

**Senate Bill No. 8—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Introduction, first reading and reference, 42.  
 Reported back, 131.  
 Second reading, 143, 1034.  
 To House, 170.  
 Returned to Senate amended, 988.  
 House amendments, 1285.  
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 Enrolled, 1277.  
 Signed by President, 1277.  
 Sent to Governor, 1280.

**Senate Bill No. 9—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence

Cannot Be Determined and Whose Care Must Be Borne by the State.

Introduction, first reading and reference, 42.  
 Reported back, 63.  
 Second reading, 71.  
 To House, 79.  
 Returned to Senate, 966.  
 Enrolled, 995.  
 Signed by President, 1142.  
 Sent to Governor, 1195.

**Senate Bill No. 10—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Introduction, first reading and reference, 42.  
 Reported back, 63.  
 Second reading, 71.  
 To House, 79.  
 Returned to Senate, 359.  
 Enrolled, 390.  
 Signed by President, 404.  
 Sent to Governor, 438.  
 Signed by Governor, 490.

**Senate Bill No. 11—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Introduction, first reading and reference, 42.  
 Reported back, 131.  
 Second reading, 144, 1165.  
 To House, 170.  
 Returned to Senate amended, 1102.  
 House amendments, 1285.  
 Concurred, 1165.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 12—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Introduction, first reading and reference, 42.  
 Reported back, 216.  
 Second reading, 222, 997.  
 To House, 238.  
 Returned to Senate amended, 988.

House amendments, 1285.  
 Concurred, 997.  
 Enrolled, 1154.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 13—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Introduction, first reading and reference, 42.  
 Reported back, 155.  
 Amendments, 155.  
 Second reading, 179, 1166.  
 To House, 196.  
 Returned to Senate amended, 1102.  
 House amendments, 1286.  
 Concurred, 1165.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 14—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Introduction, first reading and reference, 42.  
 Reported back, 161.  
 Amendments, 131, 144.  
 Second reading, 145, 1166.  
 To House, 170.  
 Returned to Senate amended, 1102.  
 House amendments, 1286.  
 Concurred, 1166.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 15—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Introduction, first reading and reference, 43.  
 Reported back, 230.  
 Amendments, 230.  
 Second reading, 246.  
 To House, 263.

Returned to Senate, 966.  
Enrolled, 995.  
Signed by President, 1142.  
Sent to Governor, 1195.

**Senate Bill No. 16—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Introduction, first reading and reference, 43.

Reported back, 99.

Amendments, 99, 106.

Second reading, 106, 1167.

To House, 110.

Returned to Senate amended, 1102.

House amendments, 1286.

Concurred, 1167.

Enrolled, 1235.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 17—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Introduction, first reading and reference, 43.

Reported back, 80.

Amendments, 80, 88.

Second reading, 88, 1228.

To House, 102.

Returned to Senate amended, 1102.

House amendments, 1286.

Conference Committee, 1167.

Conference Committee report, 1228.

Enrolled, 1277.

Signed by President, 1277.

Sent to Governor, 1280.

**Senate Bill No. 18—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Introduction, first reading and reference, 43.

Reported back, 155.

Amendments, 155.

Second reading, 180.

To House, 197.

Returned to Senate, 359.

Enrolled, 390.

Signed by President, 404.

Sent to Governor, 438.

Signed by Governor, 490.

**Senate Bill No. 19—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Introduction, first reading and reference, 43.

Reported back, 231.

Second reading, 246, 969.

To House, 263.

Returned to Senate amended, 967.

House amendments, 1286.

Concurred, 968.

Enrolled, 995.

Signed by President, 1142.

Sent to Governor, 1195.

**Senate Bill No. 20—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Introduction, first reading and reference, 43.

Reported back, 63.

Second reading, 72.

To House, 79.

Returned to Senate, 359.

Enrolled, 390.

Signed by President, 404.

Sent to Governor, 438.

Signed by Governor, 490.

**Senate Bill No. 21—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Introduction, first reading and reference, 43.

Reported back, 63.

Second reading, 72, 305.

To House, 79.

Returned to Senate amended, 292.

House amendments, 1286.

Concurred, 305.

Enrolled, 325.

Signed by President, 368.

Sent to Governor, 370.

Signed by Governor, 405.

**Senate Bill No. 22—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Introduction, first reading and reference, 43.  
 Reported back, 176.  
 Amendments, 176.  
 Second reading, 193, 1168.  
 To House, 206.  
 Returned to Senate amended, 1130.  
 House amendments, 1286.  
 Concurred, 1167.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 23—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 44.  
 Reported back, 231.  
 Amendments, 231, 247.  
 Second reading, 247.  
 To House, 263.  
 Returned to Senate, 966.  
 Enrolled, 995.  
 Signed by President, 1142.  
 Sent to Governor, 1195.

**Senate Bill No. 24—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Introduction, first reading and reference, 44.  
 Reported back, 116.  
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 Second reading, 136, 1046.  
 To House, 152.  
 Returned to Senate amended, 988.  
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 Enrolled, 1108.  
 Signed by President, 1142.  
 Sent to Governor, 1195.

**Senate Bill No. 25—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Introduction, first reading and reference, 44.  
 Reported back, 99.  
 Second reading, 107, 1168.

To House, 110.  
 Returned to Senate amended, 1102.  
 House amendments, 1287.  
 Concurred, 1168.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 26—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Introduction, first reading and reference, 44.  
 Reported back, 117.

Amendments, 117.

Second reading, 124, 969.

To House, 134.

Returned to Senate amended, 967.

House amendments, 1288.

Concurred, 969.

Enrolled, 995.

Signed by President, 1142.

Sent to Governor, 1195.

**Senate Bill No. 27—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Introduction, first reading and reference, 44.

Reported back, 155.

Amendments, 155.

Second reading, 181, 1169.

To House, 197.

Returned to Senate amended, 1103.

House amendments, 1288.

Concurred, 1169.

Enrolled, 1236.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 28—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Introduction, first reading and reference, 44.

Reported back, 151.

Amendments, 151.

Second reading, 160, 1170.

To House, 184.

Returned to Senate amended, 1103.

House amendments, 1288.

Concurred, 1169.

Enrolled, 1236.

Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 29—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Introduction, first reading and reference, 44.

Reported back, 117.

Amendments, 117.

Second reading, 125, 997.

To House, 134.

Returned to Senate amended, 989.

House amendments, 1288.

Concurred, 997.

Enrolled, 1117.

Signed by President, 1142.

Sent to Governor, 1195.

**Senate Bill No. 30—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 44.

Reported back, 139.

Amendments, 139.

Second reading, 161.

To House, 184.

Returned to Senate, 967.

Enrolled, 995.

Signed by President, 1142.

Sent to Governor, 1195.

**Senate Bill No. 31—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Introduction, first reading and reference, 45.

Reported back, 176.

Amendments, 176.

Second reading, 193.

To House, 206.

Returned to Senate, 990.

Enrolled, 1056.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 32—(Senators Day, Raschko and Work)**

Referred to Committee on Appropriations.

Senate Bill No. 32. A Bill for an Act Transferring to

the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Introduction, first reading and reference, 20.

Reported back, 342, 390.

Amendments, 342.

Re-referred, Committee on Military and Indian Affairs, 342.

Second reading, 416.

To House, 436.

Returned to Senate, 1111.

Enrolled, 1154.

Signed by President, 1238.

Sent to Governor 1262.

**Senate Bill No. 33—(Senators Rue and Thatcher)**

Referred to Committee on Appropriations.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Paying Compensation to the Widows of Former Governors of the State of North Dakota; Declaring an Emergency.

Introduction, first reading and reference, 26.

Reported back, 117.

Amendments, 117.

Second reading, 125 (lost).

Reconsidered, 133.

Indefinitely postponed, 168.

**Senate Bill No. 34—(Senators Streibel, Stucke, Greiser, Schrock, Nelson of McKenzie and Olson of Mauntrail)**

Referred to Committee on Banks and Banking.

Senate Bill No. 34. A Bill for an Act Enlarging the Powers of the Bank of North Dakota to Make Real Estate Loans to Individuals Who Shall Have Served in the Active Military or Naval Service of the United States at Any Time on or After September 16, 1940, Authorizing Issuance of North Dakota Real Estate Series Bonds Thereon, and Declaring an Emergency.

Introduction, first reading and reference, 26.

Withdrawn, 143.

**Senate Bill No. 35—(Senators Day, Dahlen and Raschko)**

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Introduction, first reading and reference, 29.

Reported back, 92.

Second reading, 100.

To House, 109.

Returned to Senate, 359.

Enrolled, 446.

Signed by President, 460.

Sent to Governor, 487.

Signed by Governor, 540.

**Senate Bill No. 36—(Senators Brant, Day, Foss and Rue)**

Referred to Committee on Appropriations.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Introduction, first reading and reference, 29.

Reported back, 131.

Second reading, 145, 1170.

To House, 170.

Returned to Senate amended, 1103.

House amendments, 1288.

Concurred, 1170.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 37—(Senator Troxel)**

Referred to Committee on Appropriations.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Introduction, first reading and reference, 29.

Reported back, 80.

Amendments, 80.

Second reading, 89.

To House, 102.

Returned to Senate, 990.

Enrolled, 1056.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 38—(Senators Stucke and Rue)**

Referred to Committee on State Affairs.

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the

1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Introduction, first reading and reference, 38.  
 Reported back, 87, 104.  
 Amendments, 87, 104.  
 Second reading, 96, 111, 347.  
 Reconsidered, 100.  
 Re-referred, 100.  
 To House, 128.  
 Returned to Senate amended, 244.  
 House amendments, 1288.  
 Conference Committee, 246.  
 Conference Committee report, 347.  
 Enrolled, 516.  
 Signed by President, 517.  
 Sent to Governor, 535.  
 Signed by Governor, 1053.

**Senate Bill No. 39—(Senators Page and Bridston)**

Referred to Committee on Appropriations.

Senate Bill No. 39. A Bill for an Act Making an Appropriation for the Return of Assessments to State Institutions, State Departments, State Industries, and Political Subdivisions for Assessments Paid by Them to the State Fire and Tornado Fund Contrary to the Provisions of Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Introduction, first reading and reference, 45.  
 Reported back, 118.  
 Amendments, 118, 126.  
 Second reading, 126.  
 To House, 134.  
 Returned to Senate, 990.  
 Enrolled, 1056.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 40—(Committee on Judiciary)**

Referred to Committee on Judiciary.

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Introduction, first reading and reference, 45.  
 Reported back, 45.  
 Amendments, 56, 74.  
 Other action, 75.  
 Second reading, 47, 75.  
 To House, 47, 75.  
 Returned to Senate amended, 55, 76.  
 Conference Committee, 66.  
 Conference Committee report, 73.  
 Enrolled, 76.  
 Signed by President, 77.  
 Sent to Governor, 77.  
 Signed by Governor, 82.

**Senate Bill No. 41—(Senator Flatt)**

Referred to Committee on State Affairs.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Introduction, first reading and reference, 45.

Reported back, 63, 140.

Re-referred, Committee on Corporations, 67; Ways and Means, 128.

Amendments, 128.

Other action, 120.

Second reading, 161, 400.

To House, 171.

Returned to Senate amended, 400.

House amendments, 1291.

Concurred, 400.

Enrolled, 446.

Signed by President, 460.

Sent to Governor, 487.

Signed by Governor, 540.

**Senate Bill No. 42—(Senator Page)**

Referred to Committee on Elections.

Senate Bill No. 42. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 12 of the Special Session Laws of 1944 Relative to Individual Nominations; and Repealing All Conflicting Laws.

Introduction, first reading and reference, 46.

Reported back indefinitely postponed, 370.

**Senate Bill No. 43—(Senators Rue and Braun)**

Referred to Committee on Game and Fish.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Introduction, first reading and reference, 50.

Reported back, 217.

Amendments, 217.

Other action, 218.

Second reading, 222.  
 To House, 239.  
 Returned to Senate, 1050.  
 Enrolled, 1154.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 44—(Senators Rue, Braun and Work)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Introduction, first reading and reference, 51.  
 Reported back, 118, 156.  
 Amendments, 156.  
 Second reading, 127 (lost), 181, 998.  
 Reconsidered, 133.  
 Re-referred, Committee on State Affairs, 133.  
 To House, 197.  
 Returned to Senate amended, 988.  
 House amendments, 1291.  
 Concurred, 998.  
 Enrolled, 1108.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 45—(Senator Wog)**

Referred to Committee on Judiciary.

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Introduction, first reading and reference, 51.  
 Reported back, 105.  
 Second reading, 112.  
 To House, 129.  
 Returned to Senate, 188.  
 Enrolled, 206.  
 Signed by residePnt, 206.  
 Sent to Governor, 230.  
 Signed by Governor, 257.

**Senate Bill No. 46—(Senator Dahlen)**

Referred to Committee on Ways and Means.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Introduction, first reading and reference, 52.  
 Reported back, 140.  
 Amendments, 140.  
 Second reading, 162.

To House, 171.  
 Returned to Senate, 991.  
 Enrolled, 1056.  
 Signed by President, 1091.  
 Sent to Governor, 1125.

.. **Senate Bill No. 47**—(Senators Young, Stucke, Kehoe and Streibel)

Referred to Committee on State Affairs.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Introduction, first reading and reference, 52.  
 Reported back, 131.  
 Second reading, 146, 364.  
 To House, 152.  
 Returned to Senate amended, 359.  
 House amendments, 1291.  
 Concurred, 364.  
 Enrolled, 412.  
 Signed by President, 434.  
 Sent to Governor, 460.  
 Signed by Governor, 540.

**Senate Bill No. 48**—(Senators Streibel, Olson of Mountrail, Page and O'Brien)

Referred to Committee on Ways and Means.

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Introduction, first reading and reference, 60.  
 Reported back, 140.  
 Amendments, 140.  
 Second reading, 162, 970.  
 To House, 184.  
 Returned to Senate amended, 964.  
 House amendments, 1291.  
 Concurred, 970.  
 Enrolled, 995.  
 Signed by President, 1039.  
 Sent to Governor, 1091.

**Senate Bill No. 49**—(Committee on Judiciary)

Referred to Committee on Judiciary.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Introduction, first reading and reference, 61.  
 Reported back, 105, 141.  
 Amendments, 141.  
 Second reading, 113 (lost), 163.  
 Reconsidered, 120.  
 Re-referred, 121.  
 To House, 169.

Returned to Senate, 991.  
 Enrolled, 1108.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 50—(Senators Rue, Young and Stucke)**

Referred to Committee on State Affairs.

Senate Bill No. 50. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Act by Amending and Re-enacting Subsection 10 of Section 52-0101, of the Revised Code of 1943, Relating to Definition of Employing Unit, and Repealing Paragraph g of Subsection 15 of Section 52-0101 of the Revised Code of 1943.

Introduction, first reading and reference, 61.

Reported back indefinitely postponed 156; indefinitely postponed, 258.

Reconsidered, 179.

Re-referred, 179.

**Senate Bill No. 51—(Senator Shure)**

Referred to Committee on State Affairs.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Introduction, first reading and reference, 61.

Reported back, 87.

Amendments, 87.

Second reading, 97.

To House, 102.

Returned to Senate, 991.

Enrolled, 1056.

Signed by President, 1091.

Sent to Governor, 1125.

**Senate Bill No. 52—(Senator Page)**

Referred to Committee on Insurance.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Introduction, first reading and reference, 63.

Reported back, 92.

Second reading, 101.

To House, 102.

Returned to Senate, 1234.

Enrolled, 1250.

Signed by President, 1261.

Sent to Governor, 1280.

**Senate Bill No. 53—(Senator Page)**

Referred to Committee on Insurance.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Introduction, first reading and reference, 63.

Reported back, 92.

Amendments, 101.  
 Second reading, 101.  
 To House, 103.  
 Returned to Senate, 1203.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 54**—(Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt)

Referred to Committee on State Affairs.

Senate Bill No. 54. A Bill for an Act Relating to Aeronautics; Providing for the Development and Regulation Thereof Within the State of North Dakota; Creating a State Aeronautics Commission and the Office of Director of Aeronautics; Prescribing the Duties and Powers of Such Commission and Director; Providing for the Regulation of Aircraft, Airmen and Air Instructors; Limiting Liability; Making an Appropriation for Said Aeronautics Commission; Prescribing Penalties; and Declaring an Emergency.

Introduction, first reading and reference, 63.

Withdrawn, 219.

**Senate Bill No. 55**—(Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt)

Referred to Committee on State Affairs.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Introductory, first reading and reference, 64.

Reported back, 258.

Amendments, 258.

Second reading, 285, 999.

To House, 318.

Returned to Senate amended, 988.

House amendments, 1291.

Concurred, 999.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 56**—(Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt)

Referred to Committee on Ways and Means.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or

any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Introductoin, first reading and reference, 64.  
 Re-referred, Committee on State Affairs, 73.  
 Reported back, 221.  
 Amendments, 221.  
 Second reading, 234, 999.  
 To House, 245.  
 Returned to Senate amended, 988.  
 House amendments, 1291.  
 Concurred, 999.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 57—(Senators Stucke, Drew and Foss)**

Referred to Committee on Public Health.

Senate Bill No. 57. A Bill for an Act Defining Isonipicaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Introduction, first reading and reference, 68.  
 Reported back, 141.  
 Second reading, 164, 970.  
 To House, 197.  
 Returned to Senate amended, 535.  
 House amendments, 1291.  
 Concurred, 970.  
 Enrolled, 995.  
 Signed by President, 1039.  
 Sent to Governor, 1091.

**Senate Bill No. 58—(Senators Stucke, Drew and Foss)**

Referred to Committee on Public Health.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Introduction, first reading and reference, 68.  
 Reported back, 176.  
 Second reading, 194.  
 To House, 206.  
 Returned to Senate, 542.  
 Enrolled, 968.  
 Signed by President, 958.  
 Sent to Governor, 1056.  
 Signed by Governor, 1103.

**Senate Bill No. 59—(Senator Page)**

Referred to Committee on Judiciary.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Introduction, first reading and reference, 68.  
 Reported back, 231.  
 Amendments, 231, 284.

Other action, 284.  
 Second reading, 248, 284.  
 Reconsidered, 267.  
 Deferred one day, 267.  
 To House, 318.  
 Returned to Senate, 1157.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 60—(Senator Troxel)**

Referred to Committee on Education.

Senate Bill No. 60. A Bill for an Act to Permit Governing Bodies of School Districts to Exceed the Tax Levy Limitation Provided by Section 57-1514 of the Revised Code of 1943 More Than Ten Mills in Certain Cases.

Introduction, first reading and reference, 68.  
 Reported back, indefinitely postponed, 391.

**Senate Bill No. 61—(Senator Page)**

Referred to Committee on Ways and Means.

Senate Bill No. 61. A Bill for an Act to Improve the Services Furnished by the State for the Benefit of the Agricultural Interests of the State and to Co-ordinate Those Services Under the Direction of the Commissioner of Agriculture and Labor. To Abolish the Livestock Sanitary Board, The Stallion Registration Board, and the Poultry Improvement Board and Transfer Their Functions, Powers, Duties, Property, Records and Funds to the Commissioner of Agriculture and Labor; and to Transfer the Licensing and Bonding of Livestock, Wool and Poultry Dealers, Livestock Sale Rings, Grain and Seed Warehouses and Grain Buyers to the Commissioner of Agriculture and Labor; and Repealing all Laws in Conflict Herewith.

Introduction, first reading and reference, 81.  
 Reported back indefinitely postponed, 201.

**Senate Bill No. 62—(Senator Page)**

Referred to Committee on Elections.

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 81.  
 Reported back, 408.  
 Amendments, 475.  
 Other action, 453, 454, 468.  
 Reconsidered, placed on Calendar, 471.  
 Second reading, 475.  
 To House, 479.  
 Returned to Senate indefinitely postponed, 1177.

**Senate Bill No. 63—(Senators Flatt, Day and Streibel)**

Referred to Committee on Way and Means.

Senate Bill No. 63. A Bill for an Act to Amend and Re-

enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Introduction, first reading and reference, 87.  
 Reported back, 123.  
 Second reading, 135.  
 To House, 152.  
 Returned to Senate, 359.  
 Enrolled, 390.  
 Signed by President, 404.  
 Sent to Governor, 438.  
 Signed by Governor, 490.

**Senate Bill No. 64—(Senators Stucke and Drew)**

Referred to Committee on Public Health.

Senate Bill No. 64. A Bill for an Act to Provide for the Licensing and Regulation of Practical Nurses, Providing for Training Practical Nurses, and Prescribing Penalties for Violation Thereof.

Introduction, first reading and reference, 88.  
 Reported back, 278.  
 Committee report laid over one day, 281.  
 Committee report adopted, 299.  
 Amendments, 278.  
 Second reading indefinitely postponed, 326.

**Senate Bill No. 65—(Senators Bridston and Day)**

Referred to Committee on Judiciary.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Introduction, first reading and reference, 88.  
 Reported back, 105.  
 Amendments, 114.  
 Second reading, 114.  
 To House, 134.  
 Returned to Senate indefinitely postponed, 1143.

**Senate Bill No. 66—(Committee on Military and Indian Affairs)**

Referred to Committee on Public Health.

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
 Reported back, 141.  
 Amendments, 141.  
 Second reading, 164.  
 To House, 184.  
 Returned to Senate, 292.  
 Enrolled, 299.  
 Signed by President, 317.

Sent to Governor, 324.  
Signed by Governor, 405.

**Senate Bill No. 67—(Committee on Military and Indian Affairs)**

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
Reported back, 131, 391.  
Amendments, 131, 391.  
Second reading, 146, 306, 449.  
To House, 170, 461.  
Returned to Senate amended, 292, 1029.  
House amendments, 1292.  
Concurred, 306.  
Enrolled, 325, 1154.  
Reconsidered, 338.  
Re-referred, 338.  
Laid over, 417.  
Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 68—(Committee on Military and Indian Affairs)**

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
Reported back, 132.  
Amendments, 132.  
Second reading, 147.  
To House, 170.  
Returned to Senate, 991.  
Enrolled, 1108.  
Signed by President, 1143.  
Sent to Governor, 1195.

**Senate Bill No. 69—(Committee on Military and Indian Affairs)**

Referred to Committee on Appropriations.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the

**Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.**

Introduction, first reading and reference, 93.  
Reported back, 132, 391.  
Amendments, 132, 391.  
Re-referred Committee on Military and Indian Affairs, 160.  
Second reading, 417, 1209.  
To House, 436.  
Returned to Senate amended, 1156.  
House amendments, 1292.  
Conference Committee, 1171, 1191.  
Conference Committee report, 1191, 1208.  
Enrolled, 1277.  
Signed by President, 1277.  
Sent to Governor, 1280.

**Senate Bill No. 70—(Committee on Military and Indian Affairs)**

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Section 37-1304 of the North Dakota Revised Code of 1943, Relating to the Duties of the Veterans' Service Commissioner, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
Withdrawn, 264.

**Senate Bill No. 71—(Committee on Military and Indian Affairs)**

Referred to Committee on Military and Indian Affairs.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
Reported back, 259.  
Amendments, 259.  
Second reading, 285, 1047.  
To House, 318.  
Returned to Senate amended, 988.  
House amendments, 1292.  
Concurred, 1047.  
Enrolled, 1154.  
Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 72—(Committee on Military and Indian Affairs)**

Referred to Committee on State Affairs.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Introduction, first reading and reference, 93.  
Reported back, 132.

Amendments, 132.  
 Second reading, 148.  
 To House, 171.  
 Returned to Senate, 1050.  
 Enrolled, 1154.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 73—(Committee on Military and Indian Affairs)**

Referred to Committee on Appropriations.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Introduction, first reading and reference, 94.  
 Reported back, 141.  
 Amendments, 141.  
 Second reading, 165.  
 To House, 184.  
 Returned to Senate, 1112.  
 Enrolled, 1154.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 74—(Senator Lofthus and Peterson)**

Referred to Committee on Insurance.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Introduction, first reading and reference, 94.  
 Reported back, 259.  
 Amendments, 259.  
 Second reading, 286.  
 To House, 318.  
 Returned to Senate, 1112.  
 Enrolled, 1154.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 75—(Senators Page and Olson of Mountrail)**

Referred to Committee on Ways and Means.

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Introduction, first reading and reference, 94.  
 Reported back, 123.  
 Second reading, 135.  
 To House, 152.  
 Returned to Senate indefinitely postponed, 1144.

**Senate Bill No. 76—(Senators Young, Morgan, Bridston, O'Brien and Kehoe)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 76. A Bill for an Act Amending and Re-enacting Section 57-3902 of the North Dakota Revised Code of 1943, Relating to the Levying and Imposing of a Retail Sales Tax.

Introduction, first reading and reference, 94.

Withdrawn, 100, 111.

**Senate Bill No. 77—(Committee on Elections)**

Referred to Committee on Elections.

Senate Bill No. 77. A Bill for an Act to amend and Re-enact Section 16-0415 of the Revised Code of 1943, Providing for the Consolidated Primary Election Ballot and Its Form, and the Voting of One Column Only.

Introduction, first reading and reference, 99.

Reported back without recommendation, 442.

Other action, 468.

Indefinitely postponed, 476.

**Senate Bill No. 78—(Committee on Judiciary)**

Referred to Committee on Judiciary.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Introduction, first reading and reference, 105.

Reported back, 142.

Second reading, 165.

To House, 184.

Returned to Senate, 360.

Enrolled, 446.

Signed by President, 460.

Sent to Governor, 487.

**Senate Bill No. 79—(Committee on Judiciary)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Introduction, first reading and reference, 106.

Reported back, 142.

Second reading, 166.

To House, 184.

Returned to Senate, 360.

Enrolled, 412.

Signed by President, 434.

Sent to Governor, 460.

**Senate Bill No. 80—(Senators Reinke, Brant and Beaton)**

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 80. A Bill for an Act Requiring Owner or Operator of Any Truck, Trailer or Other Vehicle Used in

Transporting for Hire Any Livestock Within the State of North Dakota to Clean and Disinfect Such Truck, Trailer or Other Vehicle After Each Load Hauled, and Prescribing Penalties.

Introduction, first reading and reference, 106.  
Reported back indefinitely postponed, 177.

**Senate Bill No. 81—(Senators Reinke, Brant and Feton)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Introduction, first reading and reference, 106.  
Reported back, 142.  
Second reading, 166.  
To House, 170.  
Returned to Senate indefinitely postponed, 1143.

**Senate Bill No. 82—(Senators Olson of McHenry and Kehoe)**

Referred to Committee on Game and Fish.

Senate Bill No. 82. A Bill for an Act Making It Unlawful to Hunt or Pursue Game on Farm Lands Without the Written Consent of the Owner or Occupant, and Repealing Sections 20-0115, 20-0116, 20-0117, 20-0118, 20-0119, and 20-0120 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 106.  
Reported back indefinitely postponed 218; without recommendation, 343.

Committee report reconsidered, 219.  
Re-referred, 325.  
Other action, 378.  
Second reading, 378.  
Laid on table, 379.

**Senate Bill No. 83—(Senators Braun, Stucke and Peterson)**

Referred to Committee on Appropriations.

Senate Bill No. 83. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1945 and Ending June 30, 1947, for Disbursement by the Public Welfare Board of North Dakota in Providing Public Assistance to the Needy Aged, Dependent Children, and to the Needy Blind, and Providing Child Welfare Services and Services to Crippled Children, and Assistance to Destitute and Necessitous Persons, and for Necessary Costs of Administration.

Introduction, first reading and reference, 108.  
Withdrawn, 439.

**Senate Bill No. 84—(Senator Bridston)**

Referred to Committee on State Affairs.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Introduction, first reading and reference, 110.  
Reported back, 132.

Amendments, 148.  
 Second reading, 148.  
 To House, 171.  
 Returned to Senate, 987.  
 Enrolled, 1056.  
 Signed by President, 1091.  
 Sent to Governor, 1125.

**Senate Bill No. 85—(Senator Morgan)**

Referred to Committee on Insurance.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Introduction, first reading and reference, 110.  
 Reported back, 240, 259.  
 Re-referred, 241.  
 Amendments, 259.  
 Second reading, 286, 1000.  
 To House, 318.  
 Returned to Senate amended, 988.  
 House amendments, 1293.  
 Concurred, 1000.  
 Enrolled, 1277.  
 Signed by President, 1277.  
 Sent to Governor, 1280.

**Senate Bill No. 86—(Senators Work, Bridston, Blank and Braun)**

Referred to Committee on Elections.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 110.  
 Reported back, 391.  
 Amendments, 391.  
 Second reading, 418.  
 To House, 436.  
 Returned to Senate, 1050.  
 Enrolled, 1108.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 87—(Senators Morgan, Schrock, O'Brien, Kehoe, Blank, Bridston, Raschko, Feton and Murry)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment

of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Introduction, first reading and reference, 111.  
 Reported back, 142.  
 Second reading, 167.  
 To House, 170.  
 Returned to Senate, 1177.  
 Enrolled, 1277.  
 Signed by President, 1277.  
 Sent to Governor, 1280.

**Senate Bill No. 88—(Senators Stucke and Semerad)**

Referred to Committee on Mines and Minerals.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Introduction, first reading and reference, 111.  
 Reported back, 157.  
 Second reading, 182, 971.  
 To House, 197.  
 Returned to Senate amended, 535.  
 House amendments, 1293.  
 Concurred, 971.  
 Enrolled, 995.  
 Signed by President, 1039.  
 Sent to Governor, 1091.

**Senate Bill No. 89—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Introduction, first reading and reference, 111.  
 Reported back, 133.  
 Second reading, 149.  
 To House, 171.  
 Returned to Senate, 1177.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 90—(Senators Olson of Mountrail, Nordhogen, Nelson of McKenzie and Raschko)**

Referred to Committee on Public Lands.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Introduction, first reading and reference, 119.  
 Reported back, 157.

Other action, 444.  
 Second reading, 182, 444, lost, veto sustained.  
 To House, 184.  
 Returned to Senate, 238.  
 Enrolled, 240.  
 Signed by President, 257.  
 Sent to Governor, 283.  
 Vetoed by Governor, 337.  
 Reconsidered, 441.

**Senate Bill No. 91—(Senators Blank, Young, Thatcher and Krenz)**

Referred to Committee on Appropriations.

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Introduction, first reading and reference, 119.  
 Reported back, 142.  
 Second reading, 168.  
 To House, 184.  
 Returned to Senate indefinitely postponed, 967.

**Senate Bill No. 92—(Senators Day and Streibel)**

Referred to Committee on Ways and Means.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Introduction, first reading and reference, 121.  
 Reported back indefinitely postponed, 299.  
 Reconsidered, 325.  
 Placed on Calendar, 378.  
 Second reading, 382.  
 To House, 396.  
 Returned to Senate indefinitely postponed, 1164.

**Senate Bill No. 93—(Committee on Elections)**

Referred to Committee on Elections.

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Introduction, first reading and reference, 121.  
 Reported back, 391.  
 Amendments, 391.  
 Second reading, 418.  
 To House, 436.  
 Returned to Senate indefinitely postponed, 991.

**Senate Bill No. 94—(Committee on Education)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Introduction, first reading and reference, 122.  
 Re-referred, Committee on Education, 134.  
 Reported back, 241.  
 Amendments, 264.  
 Second reading, 264.  
 To House, 293.  
 Returned to Senate, 1143.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 95—(Senators Lynch and Streibel)**

Referred to Committee on Judiciary.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Introduction, first reading and reference, 122.  
 Reported back, 231.  
 Amendments, 231.  
 Second reading, 248.  
 To House, 263.  
 Returned to Senate, 991.  
 Enrolled, 1056.  
 Signed by President, 1091.  
 Sent to Governor, 1125.

**Senate Bill No. 96—(Senators Rue and Bridston)**

Referred to Committee on Ways and Means.

Senate Bill No. 96. A Bill for an Act to Regulate Real Estate Brokers; Creating a State Board to Be Known as the State Real Estate Commission, Defining Its Powers and Duties; Providing for the Registration and Licensing of Real Estate Brokers and Salesmen; Fixing Fees Therefor; and Providing Penalties for the Violation of Its Provisions.

Introduction, first reading and reference, 122.  
 Reported back indefinitely postponed, 343.

**Senate Bill No. 97—(Committee on Education)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School

Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Introduction, first reading and reference, 122.  
 Re-referred, Committee on Education, 128.  
 Reported back, 300.  
 Amendments, 300.  
 Second reading, 326.  
 To House, 334.  
 Returned to Senate, 1143.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 98—(Committee on Education)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Introduction, first reading and reference, 122.  
 Re-referred, Committee on Education, 128.  
 Reported back, 300.  
 Amendments, 300, 327.  
 Second reading, 327.  
 To House, 386.  
 Returned to Senate indefinitely postponed, 1144.

**Senate Bill No. 99—(Committee on Education)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Introduction, first reading and reference, 122.  
 Re-referred, Committee on Education, 128.  
 Reported back, 300.  
 Amendments, 300.  
 Second reading, 328.  
 To House, 334.  
 Returned to Senate indefinitely postponed, 1144.

**Senate Bill No. 100—(Senators Shure, Bridston, Rue and Drew)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Introduction, first reading and reference, 124.  
 Reported back, 343.  
 Amendments, 343.  
 Second reading, 379.  
 To House, 396.  
 Returned to Senate indefinitely postponed, 1005.

**Senate Bill No. 101—(Senators Kehoe and Streibel)**

Referred to Committee on Appropriations.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Introduction, first reading and reference, 133.

Reported back, 218.

Amendments, 218.

Second reading, 223.

To House, 239.

Returned to Senate, 991.

Enrolled, 1056.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 102—(Senator Olson of McHenry)**

Referred to Committee on Judiciary.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Introduction, first reading and reference, 133.

Reported back, 142.

Second reading, 169, 306.

To House, 184.

Returned to Senate amended, 292.

House amendments, 1293.

Concurred, 306.

Enrolled, 325.

Signed by President, 368.

Sent to Governor, 370.

Signed by Governor, 405.

**Senate Bill No. 103—(Senators Kehoe, Stucke, Streibel and Drew)**

Referred to Committee on Corporations.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Introduction, first reading and reference, 133.

Reported back, 409.

Committee report, laid over, 411.

Committee report, adopted, 438.

Amendments, 409.

Second reading, 469.

To House, 478.

Returned to Senate indefinitely postponed, 1143.

**Senate Bill No. 104—(Senator Nelson of McKenzie)**

Referred to Committee on Highways.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Introduction, first reading and reference, 143.

Reported back, 218.

Second reading, 225.

To House, 239.

Returned to Senate, 536.

Enrolled, 968.

Signed by President, 958.

Sent to Governor, 1056.

Signed by Governor, 1103.

**Senate Bill No. 105—(Senators Peterson, Bridston and Lofthus)**

Referred to Committee on Insurance.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Introduction, first reading and reference, 143.

Reported back, 438.

Amendments, 438.

Second reading, 470.

To House, 478.

Returned to Senate, 1157.

Enrolled, 1277.

Signed by President, 1277.

Sent to Governor, 1280.

**Senate Bill No. 106—(Senators Drew, Murry, Troxel, Krenz and Semerad)**

Referred to Committee on Public Lands.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Introduction, first reading and reference, 143.

Reported back, 221.

Amendments, 235.

Second reading, 235.

To House, 246.

Returned to Senate, 536.

Enrolled, 968.

Signed by President, 958.

Sent to Governor, 1056.

Signed by Governor, 1104.

**Senate Bill No. 107—(Senator Morgan),**

Referred to Committee on Ways and Means.

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Introduction, first reading and reference, 143.

Reported back, 185.

Amendments, 185.

Second reading, 204.

To House, 229.

Returned to Senate indefinitely postponed, 388.

**Senate Bill No. 108—(Committee on Ways and Means)**

Referred to Committee on Ways and Means.

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Introduction, first reading and reference, 143.

Reported back, 186.

Second reading, 204.

To House, 229.

Returned to Senate indefinitely postponed, 314.

**Senate Bill No. 109—(Committee on Temperance)**

Referred to Committee on Appropriations.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages, Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading and reference, 157.

Re-referred, Committee on Temperance, 213, 329; Committee on Appropriations, 372.

Reported back, 300, 371, 411.

Action deferred on Committee report, 372.

Committee report adopted, 392.

Placed on Calendar, 411.

Amendments, 300, 371, 415, 465.

Laid over, 415.

Second reading, 464.

To House, 479.

Returned to Senate, 1101.

Enrolled, 1236.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 110—**(Senators Brant, and Olson of Barnes)  
Referred to Committee on State Affairs.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 157.

Reported back, 218.

Second reading, 225.

To House, 239.

Returned to Senate, 1112.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 111—**(Senators Brant, and Olson of Barnes)  
Referred to Committee on State Affairs.

Senate Bill No. 111. A Bill for an Act Amending and Re-enacting Section 11-1524 of the North Dakota Revised Code of 1943, Providing for the Transportation of Persons to the Penitentiary, the Training School, the State Hospital for the Insane and to the State School for the Feeble Minded and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 157.

Reported back indefinitely postponed, 218.

**Senate Bill No. 112—**(Senators Olson of Mountrail and Streibel)

Referred to Committee on State Affairs.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Introduction, first reading and reference, 157.

Reported back, 218.

Second reading, 226.

To House, 239.

Returned to Senate indefinitely postponed, 426.

**Senate Bill No. 113—**(Senators Olson of Mountrail and Streibel)

Referred to Committee on State Affairs.

Senate Bill No. 113. A Bill for an Act Repealing Article 51 of the Amendments to the Constitution, of North Dakota Relating to the Appointment of Any Member of the State Legislature to Office or Employment During Their Term of Office.

Introduction, first reading and reference, 158.

Withdrawn, 213.

**Senate Bill No. 114**—(Senators Rue, Nordhougen, Raschko, Schrock, Brunsdale and Flatt)

Referred to Committee on State Affairs.

Senate Bill No. 114. A Bill for an Act to Provide for the Regulation, Control and Supervision of Air Commerce by the Public Service Commission; Declaring the Public Policy; Defining the Jurisdiction, Power and Duties of the Commission in the Regulation of Air Commerce and the Enforcement of This Act; Providing for Exemptions; Forbidding Pecuniary Interest; Providing for Separate and Joint Hearings; Prescribing Procedures; Authorizing Issuance of General and Special Certificates, and Transfer Thereof; Providing for Their Modification, Suspension and Revocation; Authorizing Emergency Operations, Extensions and Abandonment of Service; Requiring Security for Protection of the Public; Requiring the Filing and Authorizing the Rejection of Tariffs; Prohibiting Free or Reduced Rates and Rebates with Certain Exceptions; Authorizing Change of Tariffs and Division of Rates; Defining Duties of Carriers; Forbidding Discrimination; Conferring Power to Regulate and Suspend Rates, and to Establish Through Service or Joint Rates; Prescribing Prudent Investment for Rate-making Purposes; Prohibiting Discrimination in Long and Short Haul; Requiring Publication and Filing of Time Tables and Improvement of Air Service; Requiring the Keeping of Proper Accounts and Records and Authorizing Their Inspection; Providing for Reparation of Overcharges; Conferring Power to Establish a State Airway System and to Accept Federal Aid; Prescribing Penalties; Imposing Fees and Providing for Their Disposition; Authorizing the Employment of Assistants, and Making an Appropriation to Carry Out the Purposes of This Act.

Introduction, first reading and reference, 158.

Reported back indefinitely postponed, 321.

**Senate Bill No. 115**—(Senators Drew, Streibel, Stucke, Day, Olson of Mountrail, Young, Bridston, Schrock and Dahlen)

Referred to Committee on Ways and Means.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Introduction, first reading and reference, 158.

Re-referred, Committee on Public Health, 179.

Reported back, 295.

Second reading, 311, 1171.

To House, 333.

Returned to Senate amended, 1164.

House amendments, 1293.

Concurred, 1171.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 116—(Senators Stucke and Drew)**

Referred to Committee on Public Health.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Introduction, first reading and reference, 159.

Reported back, 295.

Second reading, 312.

To House, 334.

Returned to Senate, 967.

Enrolled, 995.

Signed by President, 1039.

Sent to Governor, 1091.

**Senate Bill No. 117—(Senators Stucke and Drew)**

Referred to Committee on Public Health.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Introduction, first reading and reference, 159.

Reported back, 295.

Second reading, 313.

To House, 334.

Returned to Senate, 967.

Enrolled, 995.

Signed by President, 1039.

Sent to Governor, 1091.

**Senate Bill No. 118—(Senator Day)**

Referred to Committee on Corporations)

Senate Bill No. 118. A Bill for an Act to Amend and Re-enact Section 40-4525 of the North Dakota Revised Code of 1943, Providing for the Hours of Duty of Policemen in Cities Over Two Thousand Population and Describing Limitations and Exceptions Thereto.

Introduction, first reading and reference, 159.

Reported back indefinitely postponed, 232.

**Senate Bill No. 119—(Senators Rue, Young, Kehoe and Page)**

Referred to Committee on State Affairs.

Senate Bill No. 119. A Bill for an Act Authorizing Counties, Cities, Villages, and Organized Townships to License and Regulate Amusement Games Including Such Games and Devices as Electric Ray Guns, Music Boxes, Picture Boxes, Bumper Ball or Pin Ball, and Other Similar Miniature Games, and Pool Halls, Billiard Rooms, Ball Alleys, Pin Alleys, Dance Halls, Theaters, Moving Picture Shows, Taxicab or Auto Liveries, Places Where Soft Drinks Are Retailer or Where Cigars or Tobacco are Sold and Halls Owned Privately and Used for Public Purposes; Limiting License Fees; Prohibiting Any Person from Setting Up for Operation, Leasing, or Distributing for the Purpose of Operating Any Such Amusement Game or Engaging in Any Such Business Without First Having Obtained a License Therefor; Providing for the Enforcement of This Act and Penalties for

the Violation Thereof; and Repealing Chapters 53-04 and 53-06 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 159.  
Reported back indefinitely postponed, 260.

**Senate Bill No. 120—**(Senators Fetton and Nelson of McKenzie)

Referred to Committee on Education)

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Introduction, first reading and reference, 177.

Reported back, 241.

Amendments, 241.

Second reading, 265.

To House, 293.

Returned to Senate, 1176.

Enrolled, 1210.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 121—**(Senators Bridston, Oksendahl and Kehoe)

Referred to Committee on Corporations.

Senate Bill No. 121. A Bill for an Act to Give the Governing Body of Any City, Park District, Village, or Township Authority to Erect or Establish Memorials or Other Suitable Recognition in Commemoration of and Gratitude to Service Men and Women in World War II, to Create a Memorial Fund and to Make a Levy Therefore.

Introduction, first reading and reference, 177.

Reported back indefinitely postponed, 301; indefinitely postponed, 372.

Reconsidered, 338.

Re-referred, 338.

**Senate Bill No. 122—**(Committee on Irrigation and Drainage)

Referred to Committee on Irrigation and Drainage.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Introduction, first reading and reference, 177.

Reported back, 343.

Amendments, 343.

Second reading, 380, 972.

To House, 396.

Returned to Senate amended, 964.

House amendments, 1293.

Concurred, 972.

Enrolled, 1125, 1269.

Signed by President, 1143, 1270.

Returned from House to be re-enrolled, 1180.  
Sent to Governor, 1280.

**Senate Bill No. 123—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Introduction, first reading and reference, 178.

Reported back, 218.

Amendments, 218.

Second reading, 226.

To House, 239.

Returned to Senate indefinitely postponed, 529.

**Senate Bill No. 124—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Introduction, first reading and reference, 178.

Reported back, 219.

Amendments, 219.

Second reading, 227, 1050.

To House, 239; for correction, 1005.

Returned to Senate amended, 988; amended, 1014.

House amendments, 1293.

Concurred, 1050.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 125—(Committee on Appropriations)**

Referred to Committee on State Affairs.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Introduction, first reading and reference, 178.

Reported back, 260.

Second reading, 287.

To House, 319.

Returned to Senate, 517.

Enrolled, 532.

Signed by President, 958.

Sent to Governor, 1056.

Signed by Governor, 1104.

**Senate Bill No. 126—(Senators Day and Bridston)**

Referred to Committee on Corporations.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of

1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Introduction, first reading and reference, 178.  
 Reported back indefinitely postponed, 344, 411.  
 Reconsidered, 378.  
 Re-referred, 378.  
 Second reading, 453.  
 To House, 461.  
 Returned to Senate (emergency lost), 1184.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 127—(Senators Schrock, Reinke and Morgan)**

Referred to Committee on Insurance.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Introduction, first reading and reference, 178.  
 Reported back, 281.  
 Amendments, 281.  
 Second reading, 307.  
 To House, 334.  
 Returned to Senate, 1101.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 128—(Committee on Tax and Tax Laws)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Introduction, first reading and reference, 178.  
 Reported back, 232.  
 Amendments, 249.  
 Second reading, 288, 1036.  
 To House, 319.  
 Returned to Senate amended, 967.  
 House amendments, 1293.  
 Conference Committee, 972.  
 Conference Committee report, 1035.  
 Enrolled, 1117.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 129—(Senators Day and Kehoe)**

Referred to Committee on State Affairs.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Introduction, first reading and reference, 178.  
 Reported back, 260.  
 Second reading, 288.  
 To House, 319.  
 Returned to Senate indefinitely postponed, 992, 1157.  
 Requested return by House, 1050.  
 Returned to House, 1054.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 130—(Senators Bridston, Lynch and Brant)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 179.  
 Reported back, 232.  
 Amendments, 232.  
 Second reading, 249.  
 To House, 263.  
 Returned to Senate, 967.  
 Enrolled, 995.  
 Signed by President, 1039.  
 Sent to Governor, 1091.

**Senate Bill No. 131—(Committee on Temperance)**

Referred to Committee on Temperance.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 188.  
 Reported back, 301.  
 Second reading, 329.  
 To House, 363.  
 Returned to Senate, 987.  
 Enrolled, 1056.  
 Signed by President, 1091.  
 Sent to Governor, 1125.

**Senate Bill No. 132—(Committee on Temperance)**

Referred to Committee on Judiciary.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Introduction, first reading and reference, 189.  
 Reported back, 241.  
 Amendments, 241.  
 Second reading, 266, 1172.  
 To House, 293.  
 Returned to Senate amended, 1103.  
 House amendments, 1293.  
 Concurred, 1172.  
 Enrolled, 1269.

Signed by President, 1270.  
Sent to Governor, 1280.

**Senate Bill No. 133—(Senators Krenz and Kehoe)**

Referred to Committee on Corporations.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Introduction, first reading and reference, 189.

Reported back without recommendation, 232.

Second reading, 250.

To House, 263.

Returned to Senate (emergency lost), 987.

Enrolled, 1117.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 134—(Committee on Judiciary)**

Referred to Committee on Judiciary.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Introduction, first reading and reference, 189.

Reported back, 241.

Second reading, 266.

To House, 293.

Returned to Senate, 987.

Enrolled, 1056.

Signed by President, 1091.

Sent to Governor, 1125.

**Senate Bill No. 135—(Senators Bilden, Kehoe and Brant)**

Referred to Committee on Highways.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Introduction, first reading and reference, 189.

Reported back, 392.

Second reading, 419, 1051.

To House, 437.

Returned to Senate amended, 1038.

House amendments, 1294.

Concurred, 1051.

Enrolled, 1154.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 136—(Senator Page)**

Referred to Committee on Insurance.

Senate Bill No. 136. A Bill for an Act to Amend and Re-enact Chapter 26-23 of the North Dakota Revised Code of 1943, and Transfer the Management of the State Bonding

Fund from the Commissioner of Insurance to the Industrial Commission.

Introduction, first reading and reference, 189.  
Reported back, 438 (lost).

**Senate Bill No. 137—(Senator Page)**

Referred to Committee on Insurance.

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Chapter 26-22 of the 1943 Code and Transfer the Management and Control of the State Hail Insurance Department from the Commissioner of Insurance to the Industrial Commission; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 189.  
Reported back, 438.  
Indefinitely postponed, 439.

**Senate Bill No. 138—(Senator Page)**

Referred to Committee on Insurance.

Senate Bill No. 138. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 28 of Special Session Laws of 1944 and Transfer the Management of the Fire and Tornado Fund from the Insurance Commissioner to the Industrial Commission.

Introduction, first reading and reference, 189.  
Reported back, 439.  
Indefinitely postponed, 439.

**Senate Bill No. 139—(Senators Kehoe, Drew, Reinke and Streibel)**

Referred to Committee on Judiciary.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Introduction, first reading and reference, 189.  
Reported back, 241.  
Second reading, 289.  
To House, 319.  
Returned to Senate indefinitely postponed, 1177.

**Senate Bill No. 140—(Senator Day)**

Referred to Committee on Education.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Introduction, first reading and reference, 190.  
Reported back, 242.  
Second reading, 267.  
To House, 293.  
Returned to Senate, 1177.  
Enrolled, 1236.

Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 141—(Senators Braun, Frojen, Blank and Brant)**

Referred to Committee on Judiciary.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Introduction, first reading and reference, 190.  
Reported back, 321.  
Second reading, 351.  
To House, 386.  
Returned to Senate, 987.  
Enrolled, 1056.  
Signed by President, 1091.  
Sent to Governor, 1125.

**Senate Bill No. 142—(Senators Braun, Frojen, Blank and Brant)**

Referred to Committee on Ways and Means.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 190.  
Reported back, 301.  
Second reading, 330.  
To House, 363.  
Returned to Senate, 1177.  
Enrolled, 1236.  
Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 143—(Senators Rue and Streibel)**

Referred to Committee on State Affairs.

Senate Bill No. 143. A Bill for an Act Providing State Aid in the Purchase or Construction of Homes for Aged People Who Are Residents of North Dakota by Charitable, Religious and Eleemosynary Corporations Not Operated for Profit and Which Are Exempt from Federal and State Income, Real and Personal Property Taxes; Providing that the Board of Administration Shall Administer This Act; Making an Appropriation to Carry Out the Provisions of This Act; and Declaring an Emergency.

Introduction, first reading and reference, 190.  
Withdrawn, 284.

**Senate Bill No. 144—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 144. A Bill for an Act Transferring

Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Introduction, first reading and reference, 190.

Reported back, 219.

Amendments, 250.

Second reading, 250.

To House, 263.

Returned to Senate, 991.

Enrolled, 1056.

Signed by President, 1091.

Sent to Governor, 1125.

**Senate Bill No. 145—(Committee on Appropriations)**

Referred to Committee on Appropriations.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Introduction, first reading and reference, 190.

Reported back, 219.

Second reading, 228.

To House, 239.

Returned to Senate, 1112.

Enrolled, 1236.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 146—(Senator Nelson of McKenzie)**

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Introduction, first reading and reference, 191.

Reported back, 232.

Amendments, 290.

Second reading, 290, 1037, 1194.

To House, 319, 1111.

Returned to Senate amended, 989, 1193.

House amendments, 1294.

Conference Committee, 1001, 1132.

Conference Committee report, 1036, 1193.

Request return by House; 1101.

House reconsiders action on Conference Committee report, 1130.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 147—(Senators Brant, Brunsdale, Blank and Kamrath)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 147. A Bill for an Act to Provide for the Refunding of a License Tax Paid Upon Motor Vehicle Fuel Used for Other Purposes Than in Motor Vehicles Operated or Intended to Be Operated in Whole or in Part Upon the Public Highways of the State of North Dakota; Providing

for Prompt Payment of Said Claims; Providing for Refunds to State, County, City, Village, Township, Park District, or Other Municipalities in This State; Providing for the Administration of This Act by the State Auditor; and Providing for the Repeal of Subsection 5 of Section 57-4101, North Dakota Revised Code of 1943, and for the Repeal of Sections 57-4119, 57-4120, 57-4121, 57-4122, 57-4123, 57-4124, 57-4125, 57-4126, 57-4127, 57-4128, 57-4129, 57-4130 and 57-4131, North Dakota Revised Code of 1943.

Introduction, first reading and reference, 191.

Reported back indefinitely postponed, 295.

**Senate Bill No. 148**—(Senators Thatcher, Braun and Streibel)

Referred to Committee on State Affairs.

**Senate Bill No. 148.** A Bill for an Act to Authorize the Possession, Sale, Purchase, Exhibition and Distribution of Merchandising Boards and the Sale of Goods, Wares and Merchandise by Means of Merchandising Boards; Providing Penalties and Declaring an Emergency.

Introduction, first reading and reference, 191.

Reported back indefinitely postponed, 321.

**Senate Bill No. 149**—(Senators Morgan, Brunsdale, Drew and Conrad)

Referred to Committee on Education.

**Senate Bill No. 149.** A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Introduction, first reading and reference, 201.

Reported back, 301.

Second reading, 330.

To House, 363.

Returned to Senate indefinitely postponed, 1144.

**Senate Bill No. 150**—(Senator Bridston)

Referred to Committee on State Affairs.

**Senate Bill No. 150.** A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Introduction, first reading and reference, 201.

Reported back, 321.

Second reading, 352, 972.

To House, 386.

Returned to Senate amended, 535.

House amendments, 1294.

Concurred, 972.

Enrolled, 995.

Signed by President, 1039.

Sent to Governor, 1091.

**Senate Bill No. 151**—(Senator Dahlen)

Referred to Committee on Corporations.

**Senate Bill No. 151.** A Bill for an Act to Amend and Re-

enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Introduction, first reading and reference, 201.

Reported back indefinitely postponed, 344.

Reconsidered, 378.

Placed on Calendar, 378.

Second reading, 414.

To House, 437.

Returned to Senate indefinitely postponed, 1005.

**Senate Bill No. 152—(Senators Braun and Kehoe)**

Referred to Committee on Judiciary.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Introduction, first reading and reference, 201.

Reported back, 282.

Amendments, 282.

Second reading, 307.

To House, 334.

Returned to Senate, 990.

Enrolled, 1056.

Signed by President, 1091.

Sent to Governor, 1125.

**Senate Bill No. 153—(Senator Dahlen)**

Referred to Committee on Judiciary.

Senate Bill No. 153. A Bill for an Act Amending and Re-enacting Section 12-5513, of the North Dakota Revised Code of 1943, Relating to a Person Convicted and Under Sentence for Murder in the First Degree; When Subject to Pardon, Parole, or Commutation.

Introduction, first reading and reference, 202.

Reported back indefinitely postponed, 242.

**Senate Bill No. 154—(Senators Feton and Kehoe)**

Referred to Committee on Judiciary.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Introduction, first reading and reference, 202.

Reported back, 242.

Amendments, 242.

Second reading, 268, 973.

To House, 293.

Returned to Senate amended, 967.

House amendments, 1294.

Concurred, 973.

Enrolled, 995.

Signed by President, 1039.

Sent to Governor, 1091.

**Senate Bill No. 155—(Senators Bridston and Day)**

Referred to Committee on Corporations.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Introduction, first reading and reference, 202.

Reported back, 344.

Amendments, 344.

Second reading, 380.

To House, 396.

Returned to Senate, 1101.

Enrolled, 1236.

Signed by President, 1238.

Sent to Governor, 1262.

**Senate Bill No. 156—(Senators Bridston and Day)**

Referred to Committee on Corporations.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Introduction, first reading and reference, 202.

Reported back, 301, 441.

Re-referred, 350.

Amendments, 441.

Second reading, 471.

To House, 478.

Returned to Senate, 1184.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 157—(Senators Day and Braun)**

Referred to Committee on Corporations.

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 40-0807 of the North Dakota Revised Code of 1943 Relating to Compensation of Aldermen.

Introduction, first reading and reference, 202.

Reported back, indefinitely postponed, 260.

**Senate Bill No. 158—(Senator Peterson)**

Referred to Committee on Banks and Banking.

Senate Bill No. 158. A Bill for an Act to Provide for the Clearing at Par of All Checks Drawn on the Bank of North Dakota, or Any Other Bank, Trust Company or Financial Institution Organized Under the Laws of the State of North Dakota; Providing for Penalties and Declaring an Emergency.

Introduction, first reading and reference, 202.

Reported back, indefinitely postponed, 301.

**Senate Bill No. 159—(Committee on Irrigation and Drainage)**

Referred to Committee on Irrigation and Drainage.

Senate Bill No. 159. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for

the Purpose of Enabling the State of North Dakota to Cooperate with the United States, or Any Department or Agency Thereof, in the Establishment and Construction of Works of Improvement for Flood Control, Water Conservation, Stream-flow Regulation, and for Other Purposes, on Knife, Pembina, Tongue, Sheyenne and Park Rivers.

Introduction, first reading and reference, 202.

Re-referred, Committee on Appropriations, 321.

Reported back indefinitely postponed, 411.

**Senate Bill No. 160**—(Senators Day, Olson of Barnes, Troxel and Olson of Mountrail)

Referred to Committee on Temperance.

**Senate Bill No. 160.** A Bill for an Act Providing That No Persons Under the Age of Twenty-one Years Shall Be Allowed or Permitted to Enter Any Place Where Intoxicating Liquors Are Sold, Dispensed or Consumed; and Providing Penalty.

Introduction, first reading and reference, 203.

Reported back indefinitely postponed, 301.

**Senate Bill No. 161**—(Senator Leno)

Referred to Committee on Mines and Mining.

**Senate Bill No. 161.** A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Introduction, first reading and reference, 203.

Reported back, 242.

Amendments, 242.

Second reading, 268.

To House, 293.

Returned to Senate, indefinitely postponed, 1006.

**Senate Bill No. 162**—(Senators Blank and Schrock)

Referred to Committee on Tax and Tax Laws.

**Senate Bill No. 162.** A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943, Relating to Tax Levy Limitation in Cities.

Introduction, first reading and reference, 203.

Reported back indefinitely postponed, 344.

**Senate Bill No. 163**—(Senators Young, Day and Flatt)

Referred to Committee on Elections.

**Senate Bill No. 163.** A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Introduction, first reading and reference, 203.

Reported back, 372.

Amendments, 450.

Second reading, 450.

To House, 477.

Returned to Senate indefinitely postponed, 1006.

**Senate Bill No. 164—(Senator Schrock)**

Referred to Committee on Education.

Senate Bill No. 164. A Bill for an Act Authorizing the Removal from Office of Any Member of the Governing Board of Any School District by the Governor, and Prescribing the Procedure Therefor; and Providing That the Method of Removal Hereby Shall Be Deemed Cumulative and as Not Repealing Any Existing Law.

Introduction, first reading and reference, 203.

Reported back indefinitely postponed, 242.

**Senate Bill No. 165—(Senator Thatcher)**

Referred to Committee on State Affairs.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Introduction, first reading and reference, 208.

Reported back, 282.

Second reading, 308, 518.

To House, 334.

Returned to Senate amended, 517.

House amendments, 1294.

Concurred in House amendments, 518.

Enrolled, 532.

Signed by President, 958.

Sent to Governor, 1056.

Signed by Governor, 1104.

**Senate Bill No. 166—(Senator Thatcher)**

Referred to Committee on Counties.

Senate Bill No. 166. A Bill for an Act Authorizing County Commissioners, at Their Option, to Impose a Tax of One Cent Per Gallon on All Motor Fuel Sold Within Their County for Use in Motor Vehicles Operated Upon the Highways; Providing for the Collection Thereof, and for the Use Thereof.

Introduction, first reading and reference, 208.

Withdrawn, 257.

**Senate Bill No. 167—(Senators Bridston and Shure)**

Referred to Committee on Banks and Banking.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Introduction, first reading and reference, 208.

Reported back, 345.

Amendments, 345.

Second reading, 381.

To House, 396.

Returned to Senate, 1102.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 168—(Senators Raschko, Bridston and Shure)**

Referred to Committee on Banks and Banking.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Introduction, first reading and reference, 208.

Reported back, 302.

Amendments, 302.

Second reading, 331, 1196.

To House, 335.

Returned to Senate amended, 1184.

House amendments, 1294.

Concurred, 1196.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 169—(Senator Olson of Barnes)**

Referred to Committee on Ways and Means.

Senate Bill No. 169. A Bill for an Act Providing for the Sale of Beer, Alcohol and Alcoholic Beverages by Wholesalers for Cash; Providing That No Right of Action Shall Exist to Collect Any Claim for Credit Extended Contrary Hereto; Providing for Acts Which Shall Be Considered Violations of This Regulation; Providing for Reporting of Checks Returned for Non-payment and Prohibiting Sales of Retailers Giving Such Checks and Providing a Penalty for Violation Hereof.

Introduction, first reading and reference, 209.

Reported back without recommendation, 345.

Amendments, 382.

Second reading, 382.

Indefinitely postponed, 383.

**Senate Bill No. 170—(Committee on Temperance)**

Referred to Committee on Ways and Means.

Senate Bill No. 170. A Bill for an Act for Prohibiting Minors Under Eighteen Years of Age from Loitering or Working in Any Place Where Intoxicating Liquors Are Sold, or Loitering on the Streets, Alleys, Parks, or Public Place of Any City, Village, or Town After Ten o'Clock P.M. Prescribing Punishment.

Introduction, first reading and references, 209.

Reported back without recommendation, 302; without recommendation, 372.

Re-referred, Committee on Temperance, 332.

Amendments, 401.

Proposed amendment withdrawn, 414.

Second reading, 401.

Indefinitely postponed, 414.

**Senate Bill No. 171—(Senators Lofthus and Dahlen)**

Referred to Committee on Education.

Senate Bill No. 171. A Bill for an Act Creating a Scientific Publication Fund; Making an Appropriation Therefor, from the Game and Fish Fund; Prescribing the Purpose of Such Fund; Creating a Scientific Publication Board for the Administration of Such Fund; Prescribing the Duties of Such Board; Prescribing Duties of State Printer with Reference to Publications Authorized by the Board; Providing Manner of Disbursement of Fund; and for Disposition of Proceeds of Sales of Such Publications.

Introduction, first reading and reference, 209.

Reported back, 242, 372.

Re-referred, Committee on Appropriations, 242.

Amendments, 372.

Withdrawn, 395.

**Senate Bill No. 172—(Senator Beaton)**

Referred to Committee on Ways and Means.

Senate Bill No. 172. A Bill for an Act Providing Additional Qualifications for Retailers of Beer and Alcohol and Alcoholic Beverages, Providing a New State License for Retailers of Alcohol and Alcoholic Beverages; Providing for Hours of Sale by Retailers of Beer and Alcohol and Alcoholic Beverages; Providing for Giving of Statements of Age by Purchasers of Beer, Alcohol and Alcoholic Beverages; Providing for Revocation or Suspension of the Licenses of Such Retailers by the Tax Commissioner; Providing for the Enforcement of the Provisions of Law Relating to the Sale of Beer and Alcohol and Alcoholic Beverages, and Appropriating Funds Therefor, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 209.

Re-referred, Committee on Temperance, 229.

Reported back indefinitely postponed, 373.

**Senate Bill No. 173—(Committee on State Affairs)**

Referred to Committee on State Affairs.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Introduction, first reading and reference, 209.

Reported back, 260, 302.

Re-referred, Committee on Appropriations, 260.

Amendments, 302.  
 Second reading, 332, 1173.  
 To House, 335.  
 Returned to Senate amended, 1156.  
 House amendments, 1294.  
 Concurred, 1172.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 174—(Senator Rue)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 174. A Bill for an Act Providing for the Refund of Motor Fuel Taxes Paid by Mistake on Motor Fuel Used for Exempt Purposes After July 1, 1939 and Before October 1, 1939, and Declaring an Emergency.

Introduction, first reading and reference, 210.  
 Reported back indefinitely postponed, 442.

**Senate Bill No. 175—(Senators Schrock and Rue)**

Referred to Committee on State Affairs.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading and reference, 210.  
 Reported back, 373.  
 Second reading, 406.  
 To House, 437.  
 Returned to Senate, 1112.  
 Enrolled, 1236.  
 Signed by President, 1238.  
 Sent to Governor, 1262.

**Senate Bill No. 176—(Senators Bridston and Flatt)**

Referred to Committee on State Affairs.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Introduction, first reading and reference, 210.  
 Reported back, 411.  
 Second reading, 453.  
 To House, 461.

Returned to Senate, 990.  
 Enrolled, 1108, 1269.  
 Signed by President, 1143, 1270.  
 Returned from House to be re-enrolled, 1180.  
 Sent to Governor, 1280.

**Senate Bill No. 177—(Senators Foss, Blank, Raschko and Braun)**

Referred to Committee on State Affairs.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 210.

Reported back, 282.

Second reading, 309.

To House, 334.

Returned to Senate, 536.

Enrolled, 968.

Signed by President, 958.

Sent to Governor, 1056.

Signed by Governor, 1104.

**Senate Bill No. 178—(Senators Day, O'Brien and Lynch)**

Referred to Committee on Judiciary.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Introduction, first reading and reference, 211.

Reported back, 282.

Amendments, 282.

Second reading, 309, 1001.

To House, 334.

Returned to Senate amended, 989.

House amendments, 1295.

Concurred, 1001.

Enrolled, 1108.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 179—(Senators Braun, Rue, Young and Kehoe)**

Referred to Committee on Judiciary.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Introduction, first reading and reference, 211.

Reported back, 321.

Second reading, 352, 1002.  
 To House, 387.  
 Returned to Senate amended, 989.  
 House amendments, 1295.  
 Concurred, 1002.  
 Enrolled, 1108.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 180—(Senators Dahlen and Kehoe)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 180. A Bill for an Act Imposing a Tax Upon Tax Exempt Motor Fuel Used for Industrial and Agricultural Purposes; Providing the Collection of Such Tax; Allocating the Tax to the Townships for the Benefit of Their Road and Bridge Funds; and Declaring an Emergency.

Introduction, first reading and reference, 211.  
 Reported back indefinitely postponed, 345.

**Senate Bill No. 181—(Committee on Game and Fish)**

Referred to Committee on Game and Fish.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Introduction, first reading and reference, 211.  
 Reported back, 345.  
 Second reading, 383.  
 To House, 396.  
 Returned to Senate, 1050.  
 Enrolled, 1117.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 182—(Senators Day, Brunsdale and Page)**

Referred to Committee on State Affairs.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Introduction, first reading and reference, 211.  
 Reported back, 321.  
 Amendments, 321.  
 Second reading, 353.  
 To House, 387.  
 Returned to Senate, 536.  
 Enrolled, 968.  
 Signed by President, 958.  
 Sent to Governor, 1056.

**Senate Bill No. 183—(Senators Raschko, Morgan and Foss)**

Referred to Committee on Apportionment.

Senate Bill No. 183. A Bill for an Act to Divide the State of North Dakota Into Two (2) Congressional Districts, and

Defining the Boundaries of Each of Said Congressional Districts.

- Introduction, first reading and reference, 211.
- Reported back without recommendation, 442.
- Second reading, 472.
- Indefinitely postponed, 472.

Senate Bill No. 184—(Senator Murry)

Referred to Committee on Education.

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Section 15-4009 of the North Dakota Revised Code of 1943, Pertaining to Expenditure of the School Equalization Fund; Providing for Supplemental Aid to Schools on the Basis of Need; Providing That Such Aid Shall Be Applied First to Payment of Teachers' Salaries and Declaring an Emergency.

- Introduction, first reading and reference, 211.
- Reported back indefinitely postponed, 392.

Senate Bill No. 185—(Senator Troxel)

Referred to Committee on State Affairs.

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 11-2803 of the North Dakota Revised Code of 1943 Relating to Duties and Powers of County Commissioners in Establishing Parks.

- Introduction, first reading and reference, 212.
- Reported back, indefinitely postponed, 283.

Senate Bill No. 186—(Senators Streibel, Lynch and Olson of Mountrail)

Referred to Committee on Highways.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

- Introduction, first reading and reference, 212.
- Reported back, 392.
- Amendments, 392.
- Second reading, 420, 1052.
- To House, 437.
- Returned to Senate amended, 1039.
- House amendments, 1295.
- Concurred, 1052.
- Enrolled, 1117.
- Signed by President, 1143.
- Sent to Governor, 1195.

Senate Bill No. 187—(Committee on Appropriations)

Referred to Committee on Appropriations.

Senate Bill No. 187. A Bill for an Act Creating and Establishing a Reserve Building and Improvement Fund for Each Institution of Higher Learning Under the Supervision of the State Board of Higher Education; Providing for the Transfer by the State Auditor Into Such Fund all Unexpended General Appropriation Balances for Such Institutions of Higher

Learning, Except Special Appropriation for Buildings; Authorizing the State Board of Higher Education to Transfer Into Said Fund Surplus Amounts of Interest and Income, and Institutional Collections; Authorizing Appropriation by the Legislature from This Fund for Improvement and Construction of Buildings for Said Institutions of Higher Learning.

Introduction, first reading and reference, 212.

Reported back indefinitely postponed, 302.

Action on Committee report deferred, 302.

Committee report adopted, 322.

**Senate Bill No. 188—(Senators Thatcher and Young)**

Referred to Committee on Judiciary.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Introduction, first reading and reference, 212,

Reported back, 322.

Amendments, 322.

Second reading, 354.

To House, 387, 1005.

Returned to Senate, 987, 1030.

House requested return, 995.

Enrolled, 1108.

Signed by President, 1143.

Sent to Governor, 1195.

**Senate Bill No. 189—(Senators Murry, Young, Flatt, Wahlund and Olson of Barnes)**

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Introduction, first reading and reference, 212.

Reported back without recommendation, 393.

Second reading, 420.

To House, 437, 1119.

Returned to Senate amended, 1103, indefinitely postponed, 1178.

House requests return, 1113.

**Senate Bill No. 190—(Senator Bridston)**

Referred to Committee on Insurance.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Introduction, first reading and reference, 213.

Reported back, 393.

Second reading, 421.  
To House, 435.  
Returned to Senate, 1102.  
Enrolled, 1235.  
Signed by President, 1238.  
Sent to Governor, 1262.

**Senate Bill No. 191—(Senator Brant)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 191. A Bill for an Act to Amend and Re-enact Sections 1, 2, 4, 6, 7, 10, 11, 12, 13, 15 and 16 of Chapter 57-35 of North Dakota Revised Code of 1943, Pertaining to Tax on Banks, Trust Companies, Building and Loan Associations, or Other Similar Local Mutual or Cooperative Thrift and Home Financing Institutions.

Introduction, first reading and reference, 213.

Reported back, 393.

Amendments, 393.

Second reading lost, lack of constitutional majority, 422; lost, 472.

Reconsidered, 441.

Placed on Calendar, 441.

**Senate Bill No. 192—(Senator Bridston)**

Referred to Committee on State Affairs.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Introduction, first reading and reference, 214.

Reported back, 373.

Action deferred on Committee report, 374.

Committee report adopted, 393.

Amendments, 373.

Second reading, 422, 1173.

To House, 435.

Returned to Senate amended, 1157.

House amendments, 1295.

Concurred, 1173.

Enrolled, 1277.

Signed by President, 1277.

Sent to Governor, 1280.

**Senate Bill No. 193—(Senator Braun)**

Referred to Committee on Ways and Means.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 214.

Reported back, 345.

Amendments, 383.

Second reading, 383.

To House, 396.

Returned to Senate indefinitely postponed, 967.

**Senate Bill No. 194**—(Senators Raschko, Blank, Page and Brunsdale)

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Introduction, first reading and reference, 214.

Reported back, 442.

Amendments, 442, 473.

Second reading, 473, 1192.

To House, 479.

Returned to Senate amended, 1157.

House amendments, 1295.

Conference Committee, 1174.

Conference Committee report, 1192.

Enrolled, 1269.

Signed by President, 1270.

Sent to Governor, 1280.

**Senate Bill No. 195**—(Senators Rue and Day)

Referred to Committee on Education.

Senate Bill No. 195. A Bill for an Act to Direct the State Department of Public Instruction to Direct the Taking of a Census of Physically Handicapped Children; Defining Physically Handicapped Children as Applied to This Act; Providing for Home and Hospital Instructors for Physically Handicapped Children; Authorizing the Use of State or Private Funds for Employment of Home and Hospital Instructors and Transportation of Physically Handicapped Children, and Providing for a State Advisory Board.

Introduction, first reading and reference, 214.

Committee report laid over, 243.

Reported back, indefinitely postponed, 345.

**Senate Bill No. 196**—(Senators Brunsdale and Day)

Referred to Committee on Judiciary.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Introduction, first reading and reference, 214.

Reported back, 393.

Second reading, 423.

To House, 435.

Returned to Senate (emergency lost), 990.

Enrolled, 1108, 1269.

Signed by President, 1143, 1270.  
 Returned from House to be re-enrolled, 1180.  
 Sent to Governor, 1280.

**Senate Bill No. 197—(Senator Morgan)**

Referred to Committee on Education.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Introduction, first reading and reference, 215.  
 Reported back for indefinitely postponed, 302.  
 Action on Committee report deferred, 302.  
 Re-referred, 345.  
 Reported back, 393.  
 Amendments, 393.  
 Second reading, 428.  
 To House, 435.  
 Returned to Senate indefinitely postponed, 1006.

**Senate Bill No. 198—(Committee on Game and Fish)**

Referred to Committee on Game and Fish.

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507,

of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-Bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Introduction, first reading and reference, 215.

Reported back, 345.

Amendments, 345, 452.

Second reading, 451.

To House, 461.

Request return from House, 1035.

Returned to Senate, 1063.

**Senate Bill No. 199—(Senator Braun)**

Referred to Committee on Ways and Means.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Introduction, first reading and reference, 216.

Reported back, 322.

• Action on Committee report deferred, 322.

Committee report adopted, 346.

Amendments, 322.

Second reading, 384.

To House, 397.

Returned to Senate indefinitely postponed, 992.

**Senate Bill No. 200—(Senators Stucke and Day)**

Referred to Committee on Elections.

Senate Bill No. 200. A Bill for an Act to Amend and Re-enact Section 16-0402 of the North Dakota Revised Code of 1943 Providing for Party Designations and Columns on Election Ballots.

Introduction, first reading and reference, 216.

Reported back, 411.

Amendments, 411.

Second reading, 454.

Laid on table, 454.

**Senate Bill No. 201—(Senator Rue)**

Referred to Committee on Appropriations.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Introduction, first reading and reference, 216.  
 Reported back, 260.  
 Second reading, 296.  
 To House, 334.  
 Returned to Senate indefinitely postponed, 529.

**Senate Bill No. 202—(Committee on Judiciary)**

Referred to Committee on Judiciary.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Introduction, first reading and reference, 234.  
 Reported back, 322, 393.  
 Re-referred, 350.  
 Amendments, 456.  
 Second reading lost, 429, 456.  
 Reconsidered, 441.  
 Placed on calendar, 441.  
 To House, 467.  
 Returned to Senate indefinitely postponed, 987.

**Senate Bill No. 203—(Committee on Judiciary)**

Referred to Committee on Judiciary.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Introduction, first reading and reference, 234.  
 Reported back, 394.  
 Second reading, lost 429, 474, 1197.  
 Reconsidered, 441.  
 Placed on calendar, 441.  
 To House, 478.  
 Returned to Senate amended, 1184.  
 House amendments, 1295.  
 Concurred, 1197.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 204—(Senators Streibel and Page)**

Referred to Committee on Tax and Tax Laws.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Introduction, first reading and reference, 264.  
 Reported back, 346.  
 Second reading, 384.  
 To House, 397.  
 Returned to Senate, 967.  
 Enrolled, 995.  
 Signed by President, 1039.  
 Sent to Governor, 1091.

**Senate Bill No. 205—(Committee on Delayed Bills)**

Referred to Committee on Highways.

Senate Bill No. 205. A Bill for an Act to Amend and Re-

enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Introduction, first reading and reference, 273.  
 Reported back, 394.  
 Second reading, 430.  
 To House, 436.  
 Returned to Senate, 1050.  
 Enrolled, 1108.  
 Signed by President, 1143.  
 Sent to Governor, 1195.

**Senate Bill No. 206—(Senator Raschko)**

Referred to Committee on Ways and Means.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Introduction, first reading and reference, 348.  
 Reported back, 374.  
 Second reading, 407.  
 To House, 437.  
 Returned to Senate, 1177.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 207—(Senator Blank)**

Referred to Committee on State Affairs.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 349.  
 Reported back, 411.  
 Amendments, 411.  
 Adopted, 412.  
 Second reading, 466.  
 To House, 467.  
 Returned to Senate indefinitely postponed, 529.

**Senate Bill No. 208—(Committee on Delayed Bills)**

Referred to Committee on State Affairs.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Introduction, first reading and reference, 349.  
 Reported back, 374.  
 Action deferred, 374.  
 Adopted, 394.  
 Second reading, 466, 1174.  
 To House, 467.

Returned to Senate amended, 1157.  
 House amendments, 1295.  
 Concurred, 1174.  
 Enrolled, 1269.  
 Signed by President, 1270.  
 Sent to Governor, 1280.

**Senate Bill No. 209—(Senators Bridston, Thatcher and Page)**

Referred to Committee on Insurance.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

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**Senate Bill No. 210—(Senators Young, Work and Peterson)**

Referred to Committee on Agriculture and Livestock.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hetting in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

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**Senate Bill No. 211—(Committee on Judiciary)**

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Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

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Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

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Senate Concurrent Resolution No. 6. A Concurrent Resolution for the Repeal of Article 51 of the Amendments to the Constitution of North Dakota Prohibiting Appointment of Any Member of the State Legislative Assembly to Any Civil Office or Employment of Any Nature Whatsoever by the Governor, or Any Officer or Employee of the State of North Dakota, During the Term for Which Said Member of the Legislative Assembly Shall Have Been Elected.

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**Senate Concurrent Resolution No. 9—(Committee on Appropriations)**

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Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

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**Senate Concurrent Resolution No. 13—(Senator Kehoe)**

Referred to Committee on State Affairs.

**Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.**

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# HOUSE BILLS

## House Bill No. 1

Referred to Committee on Appropriations.

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

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Referred to Committee on Appropriations.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

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## House Bill No. 3

Referred to Committee on Appropriations.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Received from House, 91.

First reading and reference, 94.

Reported back, 1096.

Amendments, 1096.

Second reading, 1153.

To House, 1161.

Signed by President, 1266.

Returned to House, 1266.

## House Bill No. 4

Referred to Committee on Appropriations.

House Bill No. 4. A Bill for an Act Making an Appropria-

tion for the Salaries and Expenses of the Certification Division.

Received from House, 91.  
First reading and reference, 94.  
Reported back, 446.  
Amendments, 446.  
Second reading, 491.  
To House, 528.  
Signed by President, 1179.  
Returned to House, 1201.

#### House Bill No. 5

Referred to Committee on Appropriations.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

Received from House, 80.  
First reading and reference, 89.  
Reported back, 1041.  
Second reading, 1084.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1246.

#### House Bill No. 7

Referred to Committee on Appropriations.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Received from House, 262.  
First reading and reference, 269.  
Reported back, 1041.  
Amendments, 1085.  
Second reading, 1085.  
To House, 1095.  
Signed by President, 1241.  
Returned to House, 1246.

#### House Bill No. 8

Referred to Committee on Appropriations.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Received from House, 360.  
First reading and reference, 365.  
Reported back, 1041.  
Second reading, 1086.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1246.

#### House Bill No. 9

Referred to Committee on Appropriations.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Received from House, 80.  
First reading and reference, 89.

Reported back, 446.  
Amendments, 446.  
Second reading, 491.  
To House, 528.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 10**

Referred to Committee on Appropriations.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Received from House, 91.  
First reading and reference, 94.  
Reported back, 476.  
Second reading, 510.  
To House, 965.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 11**

Referred to Committee on Appropriations.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

Received from House, 80.  
First reading and reference, 89.  
Reported back, 476.  
Amendments, 476.  
Second reading, 510.  
To House, 964.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 12**

Referred to Committee on Appropriations.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Received from House, 81.  
First reading and reference, 89.  
Reported back, 477.  
Second reading, 511.  
To House, 965.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 13**

Referred to Committee on Appropriations.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Received from House, 236.  
First reading and reference, 237.  
Reported back, 1041.

Second reading, 1086.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1246.

**House Bill No. 14**

Referred to Committee on Appropriations.

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Received from House, 105.  
First reading and reference, 107.  
Reported back, 532.  
Second reading, 975.  
To House, 1004.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 15**

Referred to Committee on Appropriations.

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Received from House, 105.  
First reading and reference, 108.  
Reported back, 322.  
Amendments, 322.  
Second reading, 354.  
To House, 387.  
Signed by President, 461.  
Returned to House, 478.

**House Bill No. 16**

Referred to Committee on Appropriations.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Received from House, 92.  
First reading and reference, 95.  
Re-referred, 405.  
Reported back, 323, 1041.  
Amendments, 323.  
Second reading, 355, 1087.  
To House, 387, 1094.  
Request House return, 395.  
Returned from House, 400.  
Action reconsidered, 405.  
Signed by President, 1242.  
Returned to House, 1246.

**House Bill No. 17**

Referred to Committee on Appropriations.

House Bill No. 17. A Bill for an Act Making an Appro-

priation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Received from House, 92.  
 First reading and reference, 95.  
 Reported back, 323.  
 Second reading, 355.  
 To House, 388.  
 Signed by President, 434.  
 Returned to House, 434.

#### House Bill No. 18

Referred to Committee on Appropriations.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Received from House, 81.  
 First reading and reference, 90.  
 Reported back, 981.  
 Amendments, 981.  
 Second reading, 1065.  
 To House, 1078.  
 Signed by President, 1242.  
 Returned to House, 1246.

#### House Bill No. 19

Referred to Committee on Appropriations.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Received from House, 81.  
 First reading and reference, 90.  
 Reported back, 981.  
 Second reading, 1066.  
 To House, 1080.  
 Signed by President, 1242.  
 Returned to House, 1246.

#### House Bill No. 20

Referred to Committee on Appropriations.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis

Received from House, 92.  
 First reading and reference, 95.  
 Re-referred, 405.  
 Reported back, 323, 1041.  
 Amendments, 323, 1041.  
 Second reading, 356, 1087.  
 To House, 387, 1095.  
 Request House return, 395.  
 Returned from House, 400.  
 Action reconsidered, 405.  
 Signed by President, 1241.  
 Returned to House, 1246.

**House Bill No. 21**

Referred to Committee on Appropriations.

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Received from House, 138.

First reading and reference, 150.

Reported back, 374, 1042.

Re-referred, 405.

Amendments, 374, 1042.

Second reading, 1088.

To House, 1095.

Conference Committee, 1133.

Conference Committee report, 1158.

Signed by President, 1258.

Returned to House, 1258.

**House Bill No. 22**

Referred to Committee on Appropriations.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Received from House, 92.

First reading and reference, 95.

Re-referred, 405.

Reported back, 375, 1042.

Amendments, 375, 1042.

Second reading, 1088.

To House, 1095.

Signed by President, 1258.

Returned to House, 1258.

**House Bill No. 23**

Referred to Committee on Appropriations.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Received from House, 110.

First reading and reference, 115.

Re-referred, 405.

Reported back, 323, 1042.

Amendments, 323.

Second reading, 356, 1089.

To House, 387, 1094.

Request House return, 395.

Returned from House, 400.

Action reconsidered, 405.

Signed by President, 1242.

Returned to House, 1246.

**House Bill No. 24**

Referred to Committee on Appropriations.

House Bill No. 24. A Bill for an Act Making an Appro-

priation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

Received from House, 187.  
First reading and reference, 195.  
Reported back, 1042.  
Second reading, 1090.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1246.

#### House Bill No. 25

Referred to Committee on Appropriations.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Received from House, 110.  
First reading and reference, 115.  
Reported back, 981.  
Second reading, 1066.  
To House, 1078.  
Signed by President, 1242.  
Returned to House, 1246.

#### House Bill No. 26

Referred to Committee on Appropriations.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Received from House, 237.  
First reading and reference, 237.  
Reported back, 532.  
Second reading, 976.  
To House, 1004.  
From House, 1048.  
Returned to House, 1201.

#### House Bill No. 27

Referred to Committee on Appropriations.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Received from House, 360.  
First reading and reference, 366.  
Reported back, 1042.  
Amendments, 1152.  
Second reading, 1153.  
To House, 1161.  
Signed by President, 1266.  
Returned to House, 1266.

**House Bill No. 28**

Referred to Committee on Appropriations.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Received from House, 360.

First reading and reference, 366.

Reported back, 1043.

Second reading, 1107.

To House, 1131.

Signed by President, 1242.

Returned to House, 1246.

**House Bill No. 29**

Referred to Committee on Appropriations.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Received from House, 397.

First reading and reference, 401.

Reported back, 1043.

Amendments, 1113, 1257.

Second reading, 1114, 1257.

Returned to Senate without action, 1216.

Returned to House, request for Conference, 1216.

Conference Committee, 1224, 1231, 1237, 1239, 1250.

Conference Committee report, 1231, 1237, 1239, 1249, 1257.

Signed by President, 1266.

Returned to House, 1266.

**House Bill No. 30**

Referred to Committee on Appropriations.

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Received from House, 134.

First reading and reference, 137.

Reported back, 375.

Second reading, 492.

To House, 525.

Signed by President, 1179.

Returned to House, 1201.

**House Bill No. 31**

Referred to Committee on Appropriations.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota

**Doing Business as the North Dakota Mill and Elevator Association.**

Received from House, 91.  
 First reading and reference, 95.  
 Reported back, 375.  
 Second reading, 492.  
 To House, 525.  
 Signed by President, 1179.  
 Returned to House, 1201.

**House Bill No. 32**

Referred to Committee on Appropriations.

**House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.**

Received from House, 315.  
 First reading and reference, 315.  
 Re-referred, 487.  
 Reported back, 446, 982.  
 Amendments, 446, 982.  
 Second reading, 1067.  
 To House, 1078.  
 Signed by President, 1242.  
 Returned to House, 1246.

**House Bill No. 33**

Referred to Committee on Appropriations.

**House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.**

Received from House, 51.  
 First reading and reference, 53.  
 Reported back, 55.  
 Second reading, 64.  
 To House, 65.  
 Signed by President, 98.  
 Returned to House, 100.

**House Bill No. 34**

Referred to Committee on Appropriations.

**House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.**

Received from House, 51.  
 First reading and reference, 53.  
 Reported back, 55.  
 Second reading, 73.  
 To House, 79.  
 Signed by President, 98.  
 Returned to House, 100.

**House Bill No. 36**

Referred to Committee on Appropriations.

**House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State**

Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

Received from House, 134.  
First reading and reference, 137.  
Reported back, 233.  
Second reading, 252.  
To House, 264.  
Signed by President, 294.  
Returned to House, 314.

#### House Bill No. 37

Referred to Committee on Corporations.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Received from House, 105.  
First reading and reference, 108.  
Re-referred, Tax and Tax Laws, 115, 119.  
Re-referred, 228.  
Reported back, 119, 302.  
Placed on Calendar, 120.  
Laid over, 183.  
Amendments, 302.  
Second reading, 338, 449.  
To House, 387.  
Conference Committee, 396.  
Conference Committee report, 448.  
Signed by President, 525.  
Returned to House, 1063.

#### House Bill No. 38

Referred to Committee on Tax and Tax Laws.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 139.  
First reading and reference, 150.  
Reported back without recommendation, 219.  
Second reading, lost 223, 1021.  
To House, 244, 1029.  
Request return from House, 1016.  
Returned from House, 1021.  
Reconsidered, 1021.  
Placed on Calendar, 1021.  
Signed by President, 1179.  
Returned to House, 1202.

#### House Bill No. 39

Referred to Committee on Corporations.

House Bill No. 39. A Bill for an Act to Amend and Re-

enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

Received from House, 153.  
First reading and reference, 171.  
Reported back, 233.  
Second reading, 253.  
To House, 264.  
Signed by President, 294.  
Returned to House, 314.

#### **House Bill No. 40**

Referred to Committee on Agriculture and Livestock.

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Received from House, 171.  
First reading and reference, 171.  
Reported back, 177.  
Second reading, 194.  
To House, 200.  
Signed by President, 228.  
Returned to House, 229.

#### **House Bill No. 42**

Referred to Committee on Appropriations.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Received from House, 135.  
First reading and reference, 137.  
Reported back, 303.  
Second reading, 339.  
To House, 388.  
Signed by President, 434.  
Returned to House, 434.

#### **House Bill No. 44**

Referred to Committee on Insurance.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Received from House, 174.  
First reading and reference, 183.  
Reported back, 958.

Amendments, 958.  
Second reading, 1054.  
To House, 1063.  
Signed by President, 1242.  
Returned to House, 1246.

**House Bill No. 45**

Referred to Committee on Corporations.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

Received from House, 153.  
First reading and reference, 171.  
Reported back, 233.  
Second reading, 253.  
To House, 264.  
Signed by President, 294.  
Returned to House, 314.

**House Bill No. 46**

Referred to Committee on Tax and Tax Laws.

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

Received from House, 138.  
First reading and reference, 150.  
Reported back, 375.  
Amendments, 375.  
Second reading, 493.  
To House, 528.  
Signed by President, 1014.  
Returned to House, 1031.

**House Bill No. 47**

Referred to Committee on Education.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Received from House, 154.

First reading and reference, 171.

Reported back, 243.

Second reading, 270.

To House, 272.

Signed by President, 294.

Returned to House, 314.

**House Bil No. 48**

Referred to Committee on Judiciary.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Received from House, 237.,

First reading and reference, 237.

Reported back, 243.

Amendments, 243, 1160.

Second reading, 271, 1160.

To House, 294.

Conference Committee, 314.

Conference Committee report, 1160.

Signed by President, 1258.

Returned to House, 1259.

**House Bill No. 49**

Referred to Committee on Corporations.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Received from House, 154.

First reading and reference, 172.

Rported back, 233.

Amendments, 233.

Second reading, 254, 1037.

To House, 263.

Conference Committee, 313.

Conference Committee report, 1037.

Signed by President, 1242.

Returned to House, 1247.

**House Bill No. 50**

Referred to Committee on Irrigation and Drainage.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

Received from House, 154.

First reading and reference, 172.

Reported back, 324.  
Second reading, 357.  
To House, 388.  
Signed by President, 434.  
Returned to House, 435.

**House Bill No. 51**

Referred to Committee on Appropriations.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

Received from House, 245.  
First reading and reference, 251.  
Reported back, 303.  
Amendments, 303.  
Second reading, 339.  
To House, 387.  
Signed by President, 434.  
Returned to House, 435.

**House Bill No. 52**

Referred to Committee on Judiciary.

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Received from House, 187.  
First reading and reference, 195.  
Reported back, 283.  
Second reading, 310.  
To House, 333.  
Signed by President, 368.  
Returned to House, 369.

**House Bill No. 53**

Referred to Committee on Appropriations.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

Received from House, 139.  
First reading and reference, 150.  
Reported back, 376.  
Second reading, 498.  
To House, 525.  
Signed by President, 1179.  
Returned to House, 1202.

**House Bill No. 55**

Referred to Committee on Tax and Tax Laws.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

Received from House, 139.

First reading and reference, 151.

Reported back, 982.

Second reading, 1067.

To House, 1078.

Signed by President, 1242.

Returned to House, 1247.

**House Bill No. 56**

Referred to Committee on Appropriations.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

Received from House, 154.

First reading and reference, 172.

Reported back, 303.

Second reading, 340.

To House, 388.

Signed by President, 434.

Returned to House, 435.

**House Bill No. 57**

Referred to Committee on Judiciary.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

Received from House, 187.

First reading and reference, 195.

Reported back, 283.

Second reading, 310.

To House, 333.

Signed by President, 368.

Returned to House, 369.

**House Bill No. 58**

Referred to Committee on State Affairs.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Received from House, 262.

First reading and reference, 269.

Reported back, 534.

Amendments, 534, 1135.

Other action, 1007, 1135.

Second reading, 1008, 1136.

Reconsidered, 1101.  
Placed on Calendar, 1101.  
To House, 1147.

**House Bill No. 59**

Referred to Committee on Agriculture and Livestock.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Received from House, 206.

First reading and reference, 205.

Reported back, 233.

Second reading, 254.

To House, 264.

Signed by President, 294.

Returned to House, 314.

**House Bill No. 60.**

Referred to Committee on Corporations.

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

Received from House, 245.

First reading and reference, 251.

Reported back, 347.

Second reading, lost, 385.

Returned to House, 397.

**House Bill No. 61**

Referred to Committee on Insurance.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Received from House, 237.

First reading and reference, 237.

Reported back, 959.

Amendments, 959.

Second reading, 1013.

To House, 1029.

Signed by President, 1179.

Returned to House, 1202.

**House Bill No. 62**

Referred to Committee on Ways and Means.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service;

52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Received from House, 462.  
First reading and reference, 482.  
Reported back, 1043.  
Amendments, 1115.  
Second reading, 1115.  
To House, 1147.  
Signed by President, 1266.  
Returned to House, 1266.

#### House Bill No. 64

Referred to Committee on Agriculture and Livestock.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Received from House, 174.  
First reading and reference, 183.  
Reported back, 233.  
Second reading, 255.  
To House, 264.  
Signed by President, 294.  
Returned to House, 315.

#### House Bill No. 65

Referred to Committee on Tax and Tax Laws.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

Received from House, 188.  
First reading and reference, 196.  
Reported back, 515.  
Second reading, 520.  
To House, 965.  
Signed by President, 1014.  
Returned to House, 1032.

**House Bill No. 66**

Referred to Committee on Agriculture.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Received from House, 237.

First reading and reference, 238.

Reported back, 283, 394.

Re-referred, Committee on Appropriations, 283.

Second reading, 427.

To House, 436.

Signed by President, 525.

Returned to House, 1063.

**House Bill No. 68**

Referred to Committee on Corporations.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

Received from House, 245.

First reading and reference, 251.

Reported back, 347.

Second reading, 386.

To House, 397.

Signed by President, 461.

Returned to House, 478.

**House Bill No. 69**

Referred to Committee on Ways and Means.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

Received from House, 458.

First reading and reference, 482.

Reported back, 959.

Second reading, 1014.

To House, 1030.

Signed by President, 1091.

Returned to House, 1092.

**House Bill No. 70**

Referred to Committee on Tax and Tax Laws.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Received from House, 174.

First reading and reference, 183.

Reported back, 1043.  
 Second reading, indefinitely postponed, 1116.  
 Returned to House, 1124.

**House Bill No. 71**

Referred to Committee on Counties.

**House Bill No. 71.** A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Received from House, 480.  
 First reading and reference, 487.  
 Reported back, 959.  
 Amendments, 959.  
 Second reading, 1055.  
 To House, 1064.  
 Signed by President, 1242.  
 Returned to House, 1247.

**House Bill No. 72**

Referred to Committee on Public Lands.

**House Bill No. 72.** A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

Received from House, 220.  
 First reading and reference, 228.  
 Reported back, 261.  
 Second reading, 297.  
 To House, 333.  
 Signed by President, 368.  
 Returned to House, 369.

**House Bill No. 75**

Referred to Committee on State Affairs.

**House Bill No. 75.** A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Received from House, 319.  
 First reading and reference, 336.  
 Re-referred, Committee on Appropriations, 413.  
 Reported back without recommendation 413, 982.  
 Amendments, 1135.  
 Second reading, lost 1068, 1135.  
 Reconsidered, 1101.  
 Placed on Calendar, 1101.  
 To House, 1147.  
 Signed by President, 1266.  
 Returned to House, 1267.

**House Bill No. 76**

Referred to Committee on Agriculture and Livestock.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

Received from House, 207.

First reading and reference, 205.

Reported back, 233.

Second reading, 255.

To House, 264.

Signed by President, 294.

Returned to House, 315.

**House Bill No. 77**

Referred to Committee on Agriculture and Livestock.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Received from House, 207.

First reading and reference, 205.

Reported back, 233.

Second reading, 256.

To House, 264.

Signed by President, 294.

Returned to House, 315.

**House Bill No. 79**

Referred to Committee on Banks and Banking.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Received from House, 188.

First reading and reference, 196.

Reported back, 376, 477.  
Re-referred, Committee on Appropriations, 376.  
Second reading, 511.  
To House, 965.  
Signed by President, 1091.  
Returned to House, 1093.

**House Bill No. 80**

Referred to Committee on Appropriations.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

Received from House, 245.  
First reading and reference, 251.  
Reported back, 477.  
Second reading, 512.  
To House, 965.  
Signed by President, 1179.  
Returned to House, 1202.

**House Bill No. 81**

Referred to Committee on Appropriations.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Received from House, 261.  
First reading and reference, 269.  
Reported back, 303.  
Amendments, 303.  
Second reading, 340.  
To House, 388.  
Signed by President, 461.  
Returned to House, 478.

**House Bill No. 82**

Referred to Committee on Appropriations.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Received from House, 261.  
First reading and reference, 269.  
Reported back, 303.  
Amendments, 303.  
Second reading, 341.  
To House, 388.  
Signed by President, 434.  
Returned to House, 435.

**House Bill No. 83**

Referred to Committee on State Affairs.

House Bill No. 83. A Bill for an Act Relating to the

**Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.**

Received from House, 463.  
 First reading and reference, 482.  
 Re-referred, Committee on Appropriations, 982.  
 Reported back, 982, 1043.  
 Amendments, 1043, 1151.  
 Other action, 1136, 1150.  
 Second reading, 1151.  
 To House 1216.  
 Signed by President, 1266.  
 Returned to House, 1267.

**House Bill No. 84**

Referred to Committee on Ways and Means.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Received from House, 137, 438.  
 Reconsidered, 439.  
 First reading and reference, 151.  
 Reported back, 177, 261.  
 Re-referred, Committee on Appropriations, 177.  
 Second reading, 298, 443, passed over Governor's veto.  
 To House, 295, 461.  
 Signed by President, 368.  
 Returned to House, 369.

**House Bill No. 85**

Referred to Committee on Appropriations.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

Received from House, 237.  
 First reading and reference, 238.  
 Reported back, 394.  
 Second reading, 499.  
 To House, 526.  
 Signed by President, 1179.  
 Returned to House, 1202.

**House Bill No. 86**

Referred to Committee on Appropriations.

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Received from House, 245.  
 First reading and reference, 252.  
 Reported back without recommendation, 982.  
 Second reading, lost, 1133.  
 Returned to House, 1149.

**House Bill No. 87**

Referred to Committee on Tax and Tax Laws.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Received from House, 237.

First reading and reference, 238.

Reported back, 515.

Amendments, 515.

Second reading, 521.

To House, 964.

Signed by President, 1179.

Returned to House, 1202.

**House Bill No. 88**

Referred to Committee on Public Lands.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

Received from House, 291.

First reading and reference, 315.

Reported back, 983.

Second reading, 1069.

To House, 1078.

Signed by President, 1179.

Returned to House, 1202.

**House Bill No. 92**

Referred to Committee on Agriculture and Livestock.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

Received from House, 319.

First reading and reference, 336.

Reported back, 532.

Second reading, 976.

To House, 1004.

Signed by President, 1091.

Returned to House, 1093.

**House Bill No. 94**

Referred to Committee on Corporations.

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

Received from House, 262.

First reading and reference, 269.

Reported back indefinitely postponed, 347.

Returned to House, 388.

**House Bill No. 96**

Referred to Committee on Judiciary.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

Received from House, 463.

First reading and reference, 483.

Reported back indefinitely postponed, 515.

Returned to House, 527.

**House Bill No. 97**

Referred to Committee on Judiciary.

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Received from House, 463.

First reading and reference, 483.

Reported back indefinitely postponed, 515.

Returned to House, 527.

**House Bill No. 100**

Referred to Committee on Ways and Means.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

Received from House, 426.

First reading and reference, 431.

Reported back, 515.

Second reading, 521.

To House, 965.

Signed by President, 1014.

Returned to House, 1032.

**House Bill No. 101**

Referred to Committee on Drainage and Irrigation.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Received from House, 262.

First reading and reference, 269.

Reported back, 324.

Second reading, 357.

To House, 388.

Signed by President, 434.

Returned to House, 435.

**House Bill No. 102**

Referred to Committee on Judiciary.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Received from House, 262.  
First reading and reference, 269.  
Reported back, 283.  
Second reading, 311.  
To House, 333.  
Signed by President, 368.  
Returned to House, 369.

**House Bill No. 104**

Referred to Committee on Military and Indian Affairs.  
House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.  
Received from House, 458.  
First reading and reference, 483.  
Reported back, 983.  
Second reading, 1069.  
To House, 1078.  
Signed by President, 1179.  
Returned to House, 1202.

**House Bill No. 105**

Referred to Committee on Military and Indian Affairs.  
House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.  
Received from House, 245.  
First reading and reference, 252.  
Reported back, 983.  
Second reading, 1070.  
To House, 1078.  
Signed by President, 1242.  
Returned to House, 1247.

**House Bill No. 106**

Referred to Committee on Judiciary.  
House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.  
Received from House, 360.  
First reading and reference, 366.  
Reported back, 959.  
Second reading, 1015.  
To House, 1030.  
Signed by President, 1091.  
Returned to House, 1093.

**House Bill No. 107**

Referred to Committee on Military and Indian Affairs.  
House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof;

Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

Received from House, 245.  
 First reading and reference, 252.  
 Reported back, 394.  
 Second reading, 499.  
 To House, 526.  
 Signed by President, 958.  
 Returned to House, 974.

#### House Bill No. 109

Referred to Committee on Counties.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Received from House, 261.  
 First reading and reference, 269.  
 Reported back, 532.  
 Second reading, indefinitely postponed, 977, 1070.  
 Reconsidered, 986.  
 On Calendar, 986.  
 To House, 1078.  
 Signed by President, 1258.  
 Returned to House, 1259.

#### House Bill No. 110

Referred to Committee on Judiciary.

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 262.  
 First reading and reference, 270.  
 Reported back indefinitely postponed, 959.  
 Returned to House, 1003.

#### House Bill No. 111

Referred to Committee on Elections.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

Received from House, 237.  
 First reading and reference, 238.  
 Reported back, 533.  
 Second reading, lost, 977.  
 Returned to House, 1004.

**House Bill No. 114**

Referred to Committee on Ways and Means.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Over-time or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

Received from House, 463.  
 First reading and reference, 483.  
 Reported back, 959.  
 Amendments, 959.  
 Other action, 1057.  
 Second reading, 1057, 1158.  
 To House, 1080.  
 Conference Committee, 1132.  
 Conference Committee report, 1158.  
 Signed by President, 1258.  
 Returned to House, 1259.

**House Bill No. 115**

Referred to Committee on Counties.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

Received from House, 262.  
 First reading and reference, 270.  
 Reported back, 533.  
 Second reading, 978.  
 To House, 1004.  
 Signed by President, 1091.  
 Returned to House, 1093.

**House Bill No. 116**

Referred to Committee on Judiciary.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

Received from House, 263.  
 First reading and reference, 270.  
 Reconsidered, 405.  
 Re-referred, 405.  
 Reported back indefinitely postponed, 324, 447.  
 Second reading, 500.  
 To House, 362, 526.  
 Request House return, 395.  
 Returned from House, 400.  
 Signed by President, 958.  
 Returned to House, 974.

**House Bill No. 117**

Referred to Committee on Judiciary.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Received from House, 263.  
 First reading and reference, 270.  
 Reported back indefinitely postponed, 324, 447.  
 Reconsidered, 405.  
 Re-referred, 405.  
 Amendments, 501.  
 Second reading, 501  
 To House, 362, 529.  
 Request House return, 395.  
 Returned from House, 400.  
 Signed by President, 1179.  
 Returned to House, 1202.

#### House Bill No. 118

Referred to Committee on Judiciary.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Received from House, 263.  
 First reading and reference, 270.  
 Reported back indefinitely postponed, 324, 447.  
 Reconsidered, 405.  
 Re-referred, 405.  
 Amendments, 501.  
 Second reading, 501  
 To House, 362, 529.  
 Request House return, 395.  
 Returned from House, 400.  
 Signed by President, 1179.  
 Returned to House, 1202.

#### House Bill No. 119

Referred to Committee on Military and Indian Affairs.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

Received from House, 245.  
 First reading and reference, 252.  
 Reported back, 983.  
 Second reading, 1071.  
 To House, 1078.  
 Signed by President, 1242.  
 Returned to House, 1247.

#### House Bill No. 120

Referred to Committee on Appropriations.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

Received from House, 245.  
 First reading and reference, 252.  
 Reported back, 376.  
 Second reading, 502.

To House, 526.  
Signed by President, 1179.  
Returned to House, 1199.

**House Bill No. 121**

Referred to Committee on Education.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

Received from House, 319.  
First reading and reference, 336.  
Reported back, 1096.  
Amendments, 1096.  
Second reading, 1137.  
To House, 1147.  
Signed by President, 1258.  
Returned to House, 1259.

**House Bill No. 122**

Referred to Committee on Education.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Received from House, 459.  
First reading and reference, 483.  
Reported back, 1098.  
Amendments, 1098.  
Second reading, 1138.  
To House, 1147.  
Signed by President, 1266.  
Returned to House, 1267.

**House Bill No. 123**

Referred to Committee on Education.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Received from House, 320.  
First reading and reference, 336.  
Reported back, 1098.  
Second reading, 1139.  
To House, 1154.  
Signed by President, 1242.  
Returned to House, 1247.

**House Bill No. 125**

Referred to Committee on State Affairs.

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or

Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

Received from House, 397.

First reading and reference, 402.

Reported back indefinitely postponed, 494.

Returned to House, 527.

#### House Bill No. 126

Referred to Committee on Ways and Means.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

Received from House, 360.

First reading and reference, 366.

Reported back, 960.

Indefinitely postponed, 960.

Returned to House, 1004.

#### House Bill No. 127

Referred to Committee on Appropriations.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Received from House, 291.

First reading and reference, 315.

Reported back, 477.

Second reading, 513.

To House, 966.

Signed by President, 1014. ●

Returned to House, 1032.

#### House Bill No. 128

Referred to Committee on Appropriations.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

Received from House, 291.

First reading and reference, 315.

Reported back, 376.

Second reading, 503.

To House, 526.

Signed by residPent, 958.

Returned to House, 974.

#### House Bill No. 134

Referred to Committee on Public Lands.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending

and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

Received from House, 398.  
 First reading and reference, 402.  
 Reported back, 1043.  
 Second reading, 1116.  
 To House, 1131.  
 Signed by President, 1242.  
 Returned to House, 1247.

**House Bill No. 135**

....Referred to Committee on Judiciary.

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

Received from House, 262.  
 First reading and reference, 270.  
 Reported back, indefinitely postponed, 960.  
 Returned to House, 1004.

**House Bill No. 136**

Referred to Committee on Judiciary.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Received from House, 360.  
 First reading and reference, 366.  
 Reported back, 515.  
 Second reading, 522.  
 To House, 966.  
 Signed by President, 1014.  
 Returned to House, 1032.

**House Bill No. 137**

Referred to Committee on Appropriations.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

Received from House, 291.  
 First reading and reference, 316.  
 Reported back, 376.  
 Second reading, 503.  
 To House, 526.  
 Signed by President, 958.  
 Returned to House, 974.

**House Bill No. 138**

Referred to Committee on Appropriations.

House Bill No. 138. A Bill for an Act to Amend and Re-

enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Received from House, 291.  
 First reading and reference, 316.  
 Reported back, 377.  
 Second reading, 504.  
 To House, 526.  
 Signed by President, 958.  
 Returned to House, 974.

**House Bill No. 139**

Referred to Committee on Appropriations.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Received from House, 291.  
 First reading and reference, 316.  
 Reported back, 447.  
 Amendments, 447.  
 Second reading, 504.  
 To House, 529.  
 Signed by President, 1179.  
 Returned to House, 1199.

**House Bill No. 141**

Referred to Committee on Appropriations.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

Received from House, 291.  
 First reading and reference, 316.  
 Reported back, 377.  
 Second reading, 505.  
 To House, 526.  
 Signed by President, 958.  
 Returned to House, 974.

**House Bill No. 142**

Referred to Committee on Appropriations.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Received from House, 291.  
 First reading and reference, 316.  
 Reported back, 447.  
 Amendments, 447.  
 Action deferred on Committee report, 448.  
 Committee report adopted, 477.  
 Second reading, 513.  
 To House, 964.  
 Signed by President, 1179.  
 Returned to House, 1199.

**House Bill No. 144**

Referred to Committee on Ways and Means.

House Bill No. 144. A Bill for an Act to Amend and Re-

enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Received from House, 359.  
 First reading and reference, 366.  
 Reported back, 960.  
 Second reading, 1016.  
 To House, 1030.  
 Signed by President, 1179.  
 Returned to House, 1199.

**House Bill No. 145**

Referred to Committee on Ways and Means.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

Received from House, 426.  
 First reading and reference, 432.  
 Reported back, 960.  
 Second reading, 1016.  
 To House, 1030.  
 Signed by President, 1242.  
 Returned to House, 1247.

**House Bill No. 147**

Referred to Committee on Temperance.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Received from House, 463.  
 First reading and reference, 483.  
 Reported back, 1098.  
 Amendments, 1098.  
 Second reading, 1139.  
 To House, 1155.  
 Signed by President, 1258.  
 Returned to House, 1259.

**House Bill No. 150**

Referred to Committee on State Affairs.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

Received from House, 463.  
 First reading and reference, 483.  
 Reported back without recommendation, 983.  
 Second reading, indefinitely postponed, 1072.  
 To House (by error), 1094.  
 Request return from House (for correction), 1124.  
 Returned to Senate, 1131.  
 Returned to House, 1149.

**House Bill No. 152**

Referred to Committee on Corporations.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Received from House, 361.

First reading and reference, 366.

Reported back indefinitely postponed, 377.

Returned to House, 397.

**House Bill No. 153**

Referred to Committee on Appropriations.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

Received from House, 291.

First reading and reference, 316.

Reported back, 395.

Second reading, 505.

To House, 526.

Signed by President, 1179.

Returned to House, 1199.

**House Bill No. 156**

Referred to Committee on Appropriations.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

Received from House, 291.

First reading and reference, 316.

Reported back, 395.

Second reading, 506.

To House, 526.

Signed by President, 1179.

Returned to House, 1199.

**House Bill No. 158**

Referred to Committee on Counties.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Received from House, 291.

First reading and reference, 316.

Reported back, 983.

Amendments, 983.  
Second reading, 1072.  
To House, 1078.  
Signed by President, 1242.  
Returned to House, 1247.

**House Bill No. 159**

Referred to Committee on Insurance.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Received from House, 398.  
First reading and reference, 402.  
Reported back, 960.  
Amendments, 960.  
Second reading, 1017.  
To House, 1029.  
Signed by President, 1179.  
Returned to House, 1200.

**House Bill No. 160**

Referred to Committee on State Affairs.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 361.  
First reading and reference, 366.  
Reported back, 413.  
Second reading, 507.  
To House, 527.  
Signed by President, 958.  
Returned to House, 974.

**House Bill No. 161**

Referred to Committee on Highways.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Received from House, 480.  
First reading and reference, 487.  
Reported back without recommendation, 960.  
Second reading, 1058.  
To House, 1131.  
Signed by President, 1258.  
Returned to House, 1259.

**House Bill No. 162**

Referred to Committee on Highways.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised

Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Received from House, 463.  
 First reading and reference, 483.  
 Reported back without recommendation, 961.  
 Second reading, 1058.  
 To House, 1079.  
 Signed by President, 1242.  
 Returned to House, 1247.

#### House Bill No. 165

Referred to Committee on Temperance.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Received from House, 320.  
 First reading and reference, 336.  
 Reported back, 533.  
 Second reading, 979.  
 To House, 1004.  
 Signed by President, 1091.  
 Returned to House, 1093.

#### House Bill No. 171

Referred to Committee on Corporations.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Received from House, 361.  
 First reading and reference, 367.  
 Reported back, 377.  
 Second reading, 507.  
 To House, 527.  
 Signed by President, 958.  
 Returned to House, 974.

#### House Bill No. 172

Referred to Committee on Highways and Bridges.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Received from House, 361.  
 First reading and reference, 367.  
 Reported back, 1043.  
 Amendments, 1043.  
 Second reading, 1119.  
 To House, 1132.  
 Conference Committee, 1204.

Conference Committee report, 1235.  
Signed by President, 1266.  
Returned to House, 1267.

**House Bill No. 173**

Referred to Committee on State Affairs.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Received from House, 320.  
First reading and reference, 337.  
Reported back, 533.  
Second reading, lost, 979.  
Returned to House, 1163.

**House Bill No. 176**

Referred to Committee on Insurance.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

Received from House, 398.  
First reading and reference, 402.  
Reported back indefinitely postponed, 961.  
Returned to House, 1004.

**House Bill No. 177**

Referred to Committee on Ways and Means.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Received from House, 480.  
First reading and reference, 488.  
Reported back, 961, 983.  
Re-referred, Committee on State Affairs, 961.  
Amendments, 983.  
Second reading, 1134.  
To House, 1148.  
Signed by President, 1266.  
Returned to House, 1267.

**House Bill No. 178**

Referred to Committee on State Affairs.

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1804 of the North Dakota Revised Code of

1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

Received from House, 398.

First reading and reference, 402.

Reported back indefinitely postponed, 533.

Returned to House, 964.

#### House Bill No. 180

Referred to Committee on Game and Fish.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

Received from House, 398.

First reading and reference, 402.

Reported back, 1044.

Amendments, 1044.

Second reading, 1120.

To House, 1132.

Signed by President, 1266.

Returned to House, 1267.

#### House Bill No. 181

Referred to Committee on Game and Fish.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

Received from House, 398.

First reading and reference, 402.

Reported back, 984.

Second reading, 1073.

To House, 1079.

Signed by President, 1179.

Returned to House, 1200.

#### House Bill No. 185

Referred to Committee on Corporations.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Received from House, 463.

First reading and reference, 484.

Re-referred, 980.

Reported back, 533, 995.

Amendments, 995.

Committee report adopted, 1046.

Second reading, 1121.

To House, 1132.

Signed by President, 1266.

Returned to House, 1267.

**House Bill No. 186**

Referred to Committee on Public Printing.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

Received from House, 426.

First reading and reference, 432.

Reported back, 533.

Second reading, 1006.

To House, 1030.

Signed by President, 1179.

Returned to House, 1200.

**House Bill No. 187**

Referred to Committee on Ways and Means.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

Received from House, 426.

First reading and reference, 432.

Reported back, 515.

Second reading, 522.

To House, 966.

Signed by President, 1014.

Returned to House, 1032.

**House Bill No. 188**

Referred to Committee on Education.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

Received from House, 459.

First reading and reference, 484.

Reported back, 961.

Second reading, 1017.

To House, 1030.

Signed by President, 1091.

Returned to House, 1093.

**House Bill No. 189**

Referred to Committee on Education.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

Received from House, 459.  
First reading and reference, 484.  
Reported back, 961.  
Second reading, 1018.  
To House, 1030.  
Signed by President, 1179.  
Returned to House, 1200.

**House Bill No. 190**

Referred to Committee on Judiciary.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Received from House, 464.  
First reading and reference, 484.  
Reported back, 1080.  
Amendments, 1080.  
Second reading, 1121.  
To House, 1132.  
Conference Committee, 1237.  
Conference Committee report, 1239.  
Signed by President, 1266.  
Returned to House, 1268.

**House Bill No. 192**

Referred to Committee on Temperance.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

Received from House, 398.  
First reading and reference, 402.  
Reported back indefinitely postponed, 533.  
Returned to House, 964.

**House Bill No. 194**

Referred to Committee on Military and Indian Affairs.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

Received from House, 398.  
First reading and reference, 402.  
Reported back, 984.  
Second reading, 1074.  
To House, 1079.  
Signed by President, 1242.  
Returned to House, 1248.

**House Bill No. 195**

Referred to Committee on Public Health.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of

1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Received from House, 459.

First reading and reference, 484.

Reported back, 518, 1044.

Second reading indefinitely postponed, 541, 1122.

Reconsidered, 968.

Re-referred, 968.

To House, 1131.

Signed by President, 1242.

Returned to House, 1248.

#### **House Bill No. 196**

Referred to Committee on Corporations.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Received from House, 398.

First reading and reference, 403.

Reported back, 413.

Amendments, 514.

Second reading, 514, 1109.

To House, 964.

Conference Committee, 1019.

Conference Committee report, 1109.

Signed by President, 1242.

Returned to House, 1248.

#### **House Bill No. 197**

Referred to Committee on Temperance.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Received from House, 458.

First reading and reference, 484.

Reported back, 540.

Amendments, 1054.

Second reading, 1054.

To House, 1064.

Signed by President, 1242.

Returned to House, 1248.

#### **House Bill No. 198**

Referred to Committee on Corporations.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

Received from House, 361.

First reading and reference, 367.

Reported back, 413.

Second reading, 508.

To House, 527.

Signed by President, 958.  
Returned to House, 974.

**House Bill No. 200**

Referred to Committee on State Affairs.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

Received from House, 398.  
First reading and reference, 403.  
Reported back, 494.  
Second reading, 519.  
To House, 966.  
Signed by President, 1014.  
Returned to House, 1032.

**House Bill No. 201**

Referred to Committee on Elections.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Received from House, 426.  
First reading and reference, 432.  
Re-referred, Committee on State Affairs, 518.  
Reported back, 534.  
Amendments, 534.  
Second reading, 1007.  
To House, 1029.  
Signed by President, 1179.  
Returned to House, 1200.

**House Bill No. 203**

Referred to Committee on State Affairs.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Received from House, 458.  
First reading and reference, 484.  
Re-referred, Committee on Appropriations, 495.  
Reported back, 1044.  
Amendments, 1044.  
Second reading, 1123.  
To House, 1132.  
Signed by President, 1258.  
Returned to House, 1259.

**House Bill No. 205**

Referred to Committee on Ways and Means.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Received from House, 426.

First reading and reference, 432.

Reported back, 961.

Second reading, 1019.

To House, 1031.

Signed by President, 1179.

Returned to House, 1200.

**House Bill No. 207**

Referred to Committee on Tax and Tax Laws.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

Received from House, 398.

First reading and reference, 403.

Reported back, 516.

Second reading indefinitely postponed, 523.

Returned to House, 965.

**House Bill No. 208**

Referred to Committee on Drainage and Irrigation.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Received from House, 361.

First reading and reference, 367.

Reported back, 961.

Second reading, 1019.

To House, 1031.

Signed by President, 1179.

Returned to House, 1200.

**House Bill No. 210**

Referred to Committee on Irrigation and Drainage.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Received from House, 480.

First reading and reference, 488.

Reported back, 961.

Second reading, 1020.

To House, 1031.

Signed by President, 1091.

Returned to House, 1093.

**House Bill No. 213**

Referred to Committee on Military and Indian Affairs.

House Bill No. 213. A Bill for an Act Amending and Re-

enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Received from House, 361.  
First reading and reference, 367.  
Reported back, 984.  
Second reading, 1074.  
To House, 1079.  
Signed by President, 1242.  
Returned to House, 1249.

#### House Bill No. 214

Referred to Committee on Public Welfare.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

Received from House, 480.  
First reading and reference, 488.  
Reported back, 962.  
Second reading, 1024.  
To House, 1040.  
Signed by President, 1179.

#### House Bill No. 215

Referred to Committee on Public Welfare.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

Received from House, 480.  
First reading and reference, 488.  
Reported back, 962.  
Second reading, 1024.  
To House, 1040.  
Signed by President, 1179.  
Returned to House, 1200.

#### House Bill No. 217

Referred to Committee on Public Welfare.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

Received from House, 361.  
First reading and reference, 367.  
Reported back, 962.  
Second reading, 1025.  
To House, 1040.  
Signed by President, 1179.  
Returned to House, 1200.

#### House Bill No. 218

Referred to Committee on Irrigation and Drainage.

House Bill No. 218. A Bill for an Act to Amend and Re-

enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

Received from House, 361.  
 First reading and reference, 367.  
 Reported back, 962.  
 Second reading, 1026.  
 To House, 1040.  
 Signed by President, 1179.  
 Returned to House, 1200.

#### House Bill No. 219

Referred to Committee on Irrigation and Drainage.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

Received from House, 361.  
 First reading and reference, 367.  
 Reported back, 984.  
 Second reading, 1075.  
 To House, 1094.  
 Signed by President, 1242.  
 Returned to House, 1248.

#### House Bill No. 220

Referred to Committee on Judiciary.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Received from House, 458.  
 First reading and reference, 484.  
 Reported back, 1098.  
 Amendments, 1098.  
 Second reading, lost 1140, 1162.  
 Reconsidered, 1162.  
 To House, 1178.  
 Signed by President, 1258.  
 Returned to House, 1259.

#### House Bill No. 221

Referred to Committee on Public Welfare.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and

**Concerning Need for Such Homes in Any Given Community;  
and Providing for a Penalty.**

Received from House, 464.  
First reading and reference, 485.  
Reported back, 962.  
Second reading, 1026.  
To House, 1040.  
Signed by President, 1179.  
Returned to House, 1200.

**House Bill No. 222**

Referred to Committee on Highways.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Received from House, 464.  
First reading and reference, 485.  
Reported back, 962.  
Amendments, 1161.  
Second reading, 1065, 1162.  
To House, 1080, 1164.  
Returned to Senate with request to amend, 1157.  
Reconsidered, 1161.  
Signed by President, 1266.  
Returned to House, 1268.

**House Bill No. 223**

Referred to Committee on Highways.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Received from House, 464.  
First reading and reference, 485.  
Reported back, 1045.  
Second reading, 1123.  
To House, 1148.  
Signed by President, 1258.  
Returned to House, 1259.

**House Bill No. 228**

Referred to Committee on Counties.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Received from House, 399.  
First reading and reference, 403.  
Reported back without recommendation, 984.  
Amendments, 1076.  
Second reading, 1076, 1195.  
To House, 1078.  
Conference Committee, 1132.

Conference Committee report, 1194.  
Signed by President, 1258.  
Returned to House, 1259.

**House Bill No. 229**

Referred to Committee on State Affairs.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

Received from House, 426.

First reading and reference, 432.

Reported back indefinitely postponed, 534.

Returned to House, 964.

**House Bill No. 234**

Referred to Committee on Appropriations.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing

the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Received from House, 480.  
 First reading and reference, 488.  
 Reported back, 1100.  
 Reconsidered, 1226.  
 Amendments, 1100, 1140, 1226.  
 Second reading, 1140, 1227.  
 To House, 1155, 1231.  
 Request return from House, 1225.  
 Returned to Senate, 1225.  
 Signed by President, 1266.  
 Returned to House, 1268.

#### House Bill No. 238

Referred to Committee on Judiciary.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

Received from House, 399.  
 First reading and reference, 403.  
 Reported back indefinitely postponed; 962.  
 Returned to House, 1004.

#### House Bill No. 239

Referred to Committee on Judiciary.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

Received from House, 399.  
 First reading and reference, 403.  
 Reported back, 962.  
 Second reading, 1082.  
 To House, 1155.  
 Signed by President, 1258.  
 Returned to House, 1260.

#### House Bill No. 242

Referred to Committee on Tax and Tax Laws.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of

Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

Received from House, 458.  
 First reading and reference, 485.  
 Reported back, 516.  
 Second reading, 523.  
 To House, 966.  
 Signed by President, 1014.  
 Returned to House, 1032.

#### House Bill No. 247

Referred to Committee on Appropriations.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Received from House, 399.  
 First reading and reference, 403.  
 Reported back, 534.  
 Second reading, 1009.  
 To House, 1079.  
 Signed by President, 1242.  
 Returned to House, 1248.

#### House Bill No. 248

Referred to Committee on Agriculture and Livestock.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

Received from House, 399.  
 First reading and reference, 403.  
 Reported back, 516.  
 Second reading, 524.  
 To House, 966.  
 Signed by President, 1014.  
 Returned to House, 1032.

#### House Bill No. 254

Referred to Committee on Insurance.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Received from House, 481.  
 First reading and reference, 489.  
 Reported back, indefinite postponement, 1081.

To House (by error), 1094.  
Request return from House (for correction), 1124.  
Returned to Senate, 1131.  
Returned to House, 1149.

**House Bill No. 258**

Referred to Committee on Counties.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Received from House, 399.  
First reading and reference, 404.  
Reported back, 984.  
Amendments, 984, 1240.  
Second reading, 1129, 1240.  
To House, 1148.  
Conference Committee, 1236.  
Conference Committee report, 1240.  
Signed by President, 1266.  
Returned to House, 1269.

**House Bill No. 259**

Referred to Committee on Counties.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Received from House, 437.  
First reading and reference, 485.  
Reported back, 985.  
Placed on Calendar, 985.  
Second reading, 1110.  
To House, 1131.  
Signed by President, 1242.  
Returned to House, 1248.

**House Bill No. 261**

Referred to Committee on Ways and Means.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

Received from House, 481.  
First reading and reference, 489.  
Reported back, 516, indefinitely postponed, 962.  
Re-referred, 516.  
Returned to House, 1004.

**House Bill No. 267**

Referred to Committee on Irrigation and Drainage

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

Received from House, 361.

First reading and reference, 368.

Reported back, 963.

Second reading, 1059.

To House, 1079.

Signed by President, 1242.

Returned to House, 1248.

**House Bill No. 268**

Referred to Committee on Irrigation and Drainage

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Received from House, 362.

First reading and reference, 368.

Reported back, 963.

Second reading, 1062.

To House, 1079.

Signed by President, 1258.

Returned to House, 1260.

**House Bill No. 269**

Referred to Committee on Highways.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Received from House, 481.

First reading and reference, 489.

Reported back, 963.

Second reading, 1062.

To House, 1079.

Signed by President, 1179.

Returned to House, 1201.

**House Bill No. 270**

Referred to Committee on Irrigation and Drainage

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Received from House, 362.

First reading and reference, 368.

Reported back, 963.  
Second reading, 1064.  
To House, 1079.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 275**

Referred to Committee on Appropriations.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Received from House, 399.  
First reading and reference, 404.  
Reported back, 534.  
Second reading, 1009.  
To House, 1079.  
Signed by President, 1179.  
Returned to House, 1201.

**House Bill No. 276**

Referred to Committee on Judiciary.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

Received from House, 458.  
First reading and reference, 485.  
Reported back, 1045.  
Second reading, 1127.  
To House, 1148.  
Signed by President, 1242.  
Returned to House, 1248.

**House Bill No. 277**

Referred to Committee on Judiciary.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

Received from House, 458.  
First reading and reference, 486.  
Reported back, 1045.  
Second reading, 1128.  
To House, 1148.  
Signed by President, 1242.  
Returned to House, 1248.

**House Bill No. 278**

Referred to Committee on Judiciary.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed

Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Received from House, 458.  
First reading and reference, 486.  
Reported back, 1045.  
Second reading, 1128.  
To House, 1148.  
Signed by President, 1258.  
Returned to House, 1260.

**House Bill No. 280**

Referred to Committee on State Affairs.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Received from House, 399.  
First reading and reference, 404.  
Reported back, 413.  
Second reading, 508.  
To House, 527.  
Signed by President, 958.  
Returned to House, 975.

**House Bill No. 281**

Referred to Committee on State Affairs.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Received from House, 459.  
First reading and reference, 486.  
Reported back, 495.  
Second reading, 519.  
To House, 966.  
Signed by President, 1014.  
Returned to House, 1033.

**House Bill No. 282**

Referred to Committee on Appropriations.

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

Received from House, 457.  
First reading and reference, 486.  
Reported back indefinitely postponed, 534.  
Returned to House, 964.

**House Bill No. 283**

Referred to Committee on Appropriations.

House Bill No. 283. A Bill for an Act Making an Additional

**Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.**

Received from House, 464.  
First reading and reference, 486.  
Reported back, 985.  
Amendments, 985, 1061.  
Second reading, 1061.  
To House, 1080.  
Signed by President, 1216.  
Returned to House, 1216.

**House Bill No. 285.**

Referred to Committee on Appropriations.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

Received from House, 536.  
First reading and reference, 538.  
Reported back, 985.  
Second reading, 1077.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1248.

# HOUSE RESOLUTIONS

## House Concurrent Resolution "A"

Referred to Committee on Agriculture.

House Concurrent Resolution "A."

Received from House, 139.

First reading and reference, 151.

Reported back, 177.

Second reading, 195.

Adoption, 195.

To House, 200.

Signed by President, 228.

Returned to House, 229.

## House Concurrent Resolution "D"

Referred to Committee on Highways.

Received from House, 105.

First reading and reference, 108.

Reported back, 395.

Second reading, 509.

Adopted, 519.

To House, 966.

Signed by President, 1014.

Returned to House, 1031.

## House Concurrent Resolution "E"

Referred to Committee on Agriculture.

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Received from House, 135.

First reading and reference, 137.

Reported back, 177.

Second reading, 195.

Adopted, 195.

To House, 201.

Signed by President, 228.

Returned to House, 229.

## House Concurrent Resolution "F"

Referred to Committee on Public Lands.

Received from House, 110.

First reading and reference, 115.

Reported back indefinitely postponed, 985.

Returned to House, 1077.

## House Concurrent Resolution "G"

Referred to Committee on Counties.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

Received from House, 426.

First reading and reference, 432.

Reported back, 535, 1045.  
Re-referred, Committee on Judiciary, 535.  
Second reading, 1130.  
To House, 1148.  
Signed by President, 1260.  
Returned to House, 1260.

#### **House Concurrent Resolution "H"**

Referred to Committee on Ways and Means.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Received from House, 389.  
First reading and reference, 404.  
Reported back, 963.  
Amended, 1060.  
Second reading, 1060.  
To House, 1080.  
Signed by President, 1179.  
Returned to House, 1199.

#### **House Concurrent Resolution "J"**

Referred to Committee on Education.

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

Received from House, 459.  
First reading and reference, 486.  
Reported back without recommendation, 963.  
Amended, 1083.  
Second reading, indefinitely-postponed, 1083.  
To House, 1125.

#### **House Concurrent Resolution "K"**

Referred to Committee on Agriculture and Livestock.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

Received from House, 427.  
First reading and reference, 432.  
Reported back, 516.  
Second reading, 524.  
Adoption, 524.  
To House, 966.  
Signed by President, 1014.  
Returned to House, 1031.

#### **House Concurrent Resolution "L"**

Referred to Committee on State Affairs.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Received from House, 481.  
 First reading and reference, 489.  
 Reported back without recommendation, 986.  
 Second reading, 1084.  
 Indefinitely postponed, 1084.  
 To House, 1124.

#### House Concurrent Resolution "M"

Referred to Committee on State Affairs.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Received from House, 399.  
 First reading and reference, 404.  
 Reported back, 413.  
 Amendments, 413.  
 Adopted, 509.  
 To House, 529.  
 Signed by President, 1179.  
 Returned to House, 1199.

#### House Concurrent Resolution "N"

Referred to Committee on Federal Relations.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

Received from House, 320.  
 First reading and reference, 337.  
 Reported back, 1100.  
 Second reading, 1142.  
 Adoption, 1142.  
 To House, 1155.  
 Signed by President, 1260.  
 Returned to House, 1260.

#### House Concurrent Resolution "O"

Referred to Committee on Federal Relations.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Received from House, 320.  
 First reading and reference, 337.  
 Reported back, 1100.  
 Second reading, 1142.  
 Adoption, 1142.  
 To House, 1155.  
 Signed by President, 1260.  
 Returned to House, 1260.

#### House Concurrent Resolution "P"

Referred to Committee on Public Printing.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and

the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Received from House, 359.  
First reading and reference, 368.  
Reported back, 535.  
Second reading, 1013.  
Adopted, 1013.  
To House, 1080.  
Signed by President, 1179.  
Returned to House, 1199.

#### House Concurrent Resolution "Q"

Referred to Committee on Ways and Means.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Received from House, 315.  
First reading and reference, 317.  
Reported back, 377.  
Second reading, 377.  
To House, 397.  
Signed by President, 434.  
Returned to House, 435.

#### House Concurrent Resolution "S"

Referred to Committee on Military and Indian Affairs.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Received from House, 427.  
First reading and reference, 433.  
Reported back, 986.  
Second reading, 1084.  
Adoption, 1084.  
To House, 1094.  
Signed by President, 1242.  
Returned to House, 1248.

#### House Concurrent Resolution "V"

Referred to Committee on Ways and Means.

Received from House, 458.  
First reading and reference, 486.  
Reported back, 516.  
Second reading, 524.  
Adoption, 524.  
To House, 966.  
Signed by President, 1014.  
Returned to House, 1031.

#### House Concurrent Resolution "X"

Referred to Committee on Judiciary.

House Concurrent Resolution "X." A Concurrent Resolu-

tion Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Received from House, 541.

First reading and reference, 974.

Reported back, 1045.

Second reading, 1130.

Adoption, 1130.

To House, 1148.

Signed by President, 1260.

Returned to House, 1260.

#### House Concurrent Resolution "Y"

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Received from House, 536.

First reading, 538.

Second reading, 539.

Adoption, 539.

To House, 539.

Signed by President, 1014.

Returned to House, 1031.

#### House Concurrent Resolution "Z"

Referred to Committee on Ways and Means.

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Received from House, 994.

First reading and reference, 1052.

Second reading, 1192.

Adoption, 1192.

To House, 1198.

Signed by President, 1260.

Returned to House, 1260.

#### House Concurrent Resolution "AA"

Received from House, 1203.

First reading, 1204.

Second reading, 1204.

Adoption, 1204.

To House, 1207.

Signed by President, 1260.

Returned to House, 1261.

#### House Concurrent Resolution "BB"

Referred to Committee on Ways and Means.

Received from House, 1144.

First reading and reference, 1159.  
 Reported back, 1184.  
 Second reading, 1185.  
 To House, 1198.  
 Signed by President, 1260.  
 Returned to House, 1261.

**House Concurrent Resolution "CC"**

Received from House, 1210.  
 First reading, 1214.  
 Second reading, 1215.  
 Adoption, 1215.  
 To House, 1215.  
 Signed by President, 1260.  
 Returned to House, 1261.

**House Concurrent Resolution "DD"**

Referred to Committee on Ways and Means.  
 House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Received from House, 1112.  
 First reading and reference, 1159.  
 Amended, 1159.  
 Adopted, 1160.  
 To House, 1164.  
 Signed by President, 1266.  
 Returned to House, 1269.

**House Concurrent Resolution "EE"**

Referred to Committee on Ways and Means.  
 Received from House, 1158.  
 First reading and reference, 1159.  
 Reported back, 1191.  
 Second reading, 1191, 1233.  
 To House, 1198, 1235.  
 Request return from House, 1217.  
 Returned to Senate, 1232.  
 Reconsidered, 1233.  
 Amended, 1233.  
 Signed by President, 1260.  
 Returned to House, 1261.

**House Concurrent Resolution "FF"**

Received from House, 1245.  
 First reading, 1255.  
 Second reading, 1255.  
 Adopted, 1255.  
 To House, 1257.  
 Signed by President, 1266.  
 Returned to House, 1269.

**House Joint Resolution No. 1**

Referred to Committee on Ways and Means.

Received from House, 464.

First reading and reference, 486.

Reported back, 516.

Second reading, 524.

To House, 966.

Signed by President, 1014.

Returned to House, 1031.

**House Joint Resolution No. 2**

Referred to Committee on Highways.

Received from House, 482.

First reading and reference, 486.

Reported back, 963.

Second reading, 1084.

Amended, 1084.

Indefinitely postponed, 1084.

To House, 1125.

**House Resolution No. 3**

House Resolution No. 3. A Resolution of Impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

Received from House, 1027.

Request to notify Governor, 1027.

Read, 1027.